

Meeting of the Board

Wednesday, March 4, 2015
9:00 A.M.

Agenda
Open Session

Thursday, March 5, 2015
9:00 A.M.

Government Accountability Board Offices
212 East Washington Avenue, Third Floor
Madison, Wisconsin

Wednesday, March 4, 2015 and Thursday, March 5, 2015

9:00 A.M.

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| A. Call to Order | |
| B. Director’s Report of Appropriate Meeting Notice | |
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| D. Personal Appearances | |
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| J. Selection of U.S. EAC Standards Board Members | 165 |

The Government Accountability Board may conduct a roll call vote, a voice vote, or otherwise decide to approve, reject, or modify any item on this agenda.

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| N. | Closed Session | |
| 5.05 (6a) and 19.85 (1) (h) | The Board's deliberations on requests for advice under the ethics code, lobbying law, and campaign finance law shall be in closed session. | |
| 19.85 (1) (g) | The Board may confer with legal counsel concerning litigation strategy. | |
| 19.851 | The Board's deliberations concerning investigations of any violation of the ethics code, lobbying law, and campaign finance law shall be in closed session. | |
| 19.85 (1) (c) | The Board may consider performance evaluation data of a public employee over which it exercises responsibility. | |

The Government Accountability Board has scheduled its next meeting for Wednesday, April 15, 2015 at the Government Accountability Board offices, 212 East Washington Avenue, Third Floor in Madison, Wisconsin beginning at 9:00 a.m..

State of Wisconsin\Government Accountability Board

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JUDGE GERALD C. NICHOL
Chair

KEVIN J. KENNEDY
Director and General Counsel

Wisconsin Government Accountability Board

212 East Washington Avenue
Madison, Wisconsin
January 13, 2015
9:00 a.m.

Open Session Minutes

| <u>Summary of Significant Actions Taken</u> | <u>Page</u> |
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| B. Delegated Certain Authority to the Director and General Counsel | 2 |
| C. Approved Ethics Guidance for Poll Workers | 3 |
| D. Approved Ballot Access Report | 4 |
| E. Approved Administrative Rule Scope Statements | 6 |
| F. Approved Resolution to Legislature Regarding Campaign Finance Law | 7 |
| G. Approved Ethics & Lobbying Legislative Agenda | 8 |

Present: Judge Harold Froehlich, Judge Gerald Nichol, Judge Timothy Vocke (in person)
Judge Thomas H. Barland, Judge Elsa Lamelas, and Judge John Franke (by telephone)

Staff present: Kevin Kennedy, Jonathan Becker, Michael Haas, Ross Hein, Nathan Judnic,
Sharrie Hauge, Diane Lowe, and Reid Magney

A. Call to Order

Judge Froehlich, the Board's vice-chair, 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 December 16, 2014 Meeting

MOTION: Approve the minutes of the December 16, 2014 Board Meeting. Moved by Judge Vocke, seconded by Judge Nichol. Motion carried unanimously.

D. Selection of Board Officers

The selection of Board Officers was done by lot. Judge Froehlich drew Judge Nichol's name to be G.A.B. Chair for 2015. Judge Froehlich then drew the names of Judge Lamelas to be G.A.B. Vice-Chair and Judge Barland to be G.A.B. Secretary for 2015.

Judge Nichol asked Judge Froehlich to continue chairing the meeting.

E. Personal Appearances

The Board discussed whether it should hear personal appearances on matters other than ballot access.

MOTION: To accept additional comments on agenda item L, Proposed Legislative Agenda – Ethics and Accountability Division. Moved by Judge Nichol, seconded by Judge Lamelas. Motion carried.

Attorney Jodi Jensen of Madison appeared on behalf of the Association of Wisconsin Lobbyists to comment on proposed changes to Chapter 13 related to lobbyists furnishing campaign contributions. She said it appears the Board's recommendation is to return to language which would prohibit lobbyists from furnishing any contributions beyond personal contributions. She said the association is asking the Board to take some time and work through any changes with the Legislature and the staff.

F. Delegation of Certain Authority to the Director and General Counsel

Director Kennedy introduced the annual memorandum regarding the Board delegating certain authority to the Director and General Counsel, based on the motion passed in January 2014.

The Board and Director Kennedy discussed Section 1, the director's authority to intervene in court actions.

MOTION: Amend Section 1 of the proposed delegation of authority to read: To intervene in actions under the provisions of Wis. Stat. § 5.05(9) *in the case of an emergency when there is a lack of time to convene a full Board meeting*. Moved by Judge Barland, seconded by Judge Franke.

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|--------------------------|-----|----------|-----|
| Roll call vote: Barland: | Aye | Franke: | Aye |
| Froehlich: | Aye | Lamelas: | Aye |
| Nichol: | Aye | Vocke: | Aye |

Motion carried unanimously.

The Board and Director Kennedy discussed Section 5, related to the non-appointment of a local election official. Judge Barland asked for clarification of what “non-appointment” means, and Judge Froehlich explained the term comes from statutory language. Elections Division Administrator Michael Haas explained the types of situations in which non-appointment could be used.

The Board and Director Kennedy discussed Section 6, related to consulting with the Board Chair before signing contracts of more than \$100,000. Director Kennedy said the only contract falling under that section in 2014 was the contract for the voter ID public information campaign, and that most agency spending falls under existing state contracts.

Judge Froehlich said he believes the Board should know about contracts, especially the one regarding ballot design. Director Kennedy pointed out that contract was primarily for the MyVote Wisconsin website usability testing, with only a few hours for ballot design consultation.

MOTION: Amend Section 6 to require that 10 days before signing any contract that the Director gives a copy to each Board Member. Moved by Judge Froehlich. Motion failed due to lack of a second.

The Board and staff discussed how much detail Board Members wish to receive about contracts for routine purchases such as office supplies. By consensus, Board Members decided to keep Section 6 as proposed, but revisit it at the March Board Meeting.

MOTION: Adopt the proposed motion on Pages 18 and 19 of the January 2015 Board materials as amended. Moved by Judge Vocke, seconded by Judge Nichol. Motion carried unanimously.

H. Application of Ethics Code to Poll Workers

(This item was taken out of order.)

Elections Division Administrator Michael Haas made an oral presentation based on a written report beginning on page 41 of the January 2015 Board Meeting Materials. He said staff continues to receive inquiries about whether a person may serve as an election worker when that person’s relative is on the ballot. In light of a recent Attorney General opinion regarding local boards of canvassers, staff revisited its prior guidance focusing on the restrictions in the Code of Ethics for Local Public Officials and is recommending the Board adopt a stronger position that an election inspector should not be a member of a board of canvassers if the person is related to someone who is on the ballot.

Judge Barland raised a question about the use of the phrase “living arrangement with the candidate.” The Board and staff discussed the draft guidance. Mr. Haas suggested taking out the phrase “or has a living arrangement with” and the phrase “circumstance under which the candidate’s success or failure would impact the inspector financially.”

MOTION: Consistent with the analysis beginning on page 41 of the January 2015 Board Meeting Materials, the Board advises that an election inspector should not act as a member of the local board of canvassers in the event that he or she is a spouse or immediate family member of a candidate on the ballot, or in a circumstance under which the candidate’s success or failure to win election would impact the inspector financially. Moved by Judge Lamelas, seconded by Judge Nichol. Motion carried unanimously.

G. Election Administration – Ballot Access Report

Elections Division Administrator Haas said there was one challenge for the Board to consider, filed by Paul Buggenhagen against Linda Vandewater. Both are candidates for Waukesha County Circuit Court Judge, Branch 10. He said the challenge deals with the format of the nomination papers and the use of the title “judge” on Vandewater’s papers.

Mr. Buggenhagen appeared by telephone and stated that Ms. Vandewater’s nomination papers used the title “judge” before her name at the top of the page, which is prohibited by Wis. Stat. § 8.10(2)(b).

Viola Hamelman appeared on behalf of Ms. Vandewater and stated that Wis. Adm. Code GAB § 2.05(7) allows for campaign advertising on nomination papers. She said the advertising section where the title “judge” was used was printed in red and blue ink, while the nomination paper form was printed in black ink. She said the title “judge” was not used on the nomination paper form itself.

The Board members discussed the challenge with Mr. Buggenhagen and Ms. Hamelman.

Mr. Haas said staff believes the nomination papers are in substantial compliance with statutes and the administrative rule. The title of “judge” was not included in the box for the candidate’s name, and its use would not have misled signers because Linda Vandewater is the incumbent for the office she is seeking.

MOTION: Deny the challenge to Linda Vandewater’s nomination papers filed by Paul Buggenhagen. Moved by Judge Vocke, seconded by Judge Nichol.

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|--------------------------|------------|----------|-----|
| Roll call vote: Barland: | Aye | Franke: | Aye |
| | Froehlich: | Lamelas: | Aye |
| | Nichol: | Vocke: | Aye |

Motion carried unanimously.

Mr. Haas introduced Lead Elections Specialist Diane Lowe who presented an oral and written report regarding ballot access issues, beginning on page 20 of the January 2015 Board materials. Staff received 94 sets of nomination papers. Ms. Lowe reviewed a few minor irregularities in nomination papers, none of which affected ballot status. Two candidates for Circuit Court Judge and one candidate for State Senator in District 20 filed nomination papers but did not have enough valid signatures. One challenge was filed, and all Statements of Economic Interests were timely filed. Jackson, La Crosse, Lafayette and Sheboygan counties are the only counties where circuit court judge primaries will be held. There will also be a primary for State Senator in District 20.

Judge Lamelas discussed issues with some nomination papers from Milwaukee County, and said the Board should not miss the opportunity to make candidates aware of the requirement for all petition signers to also print their name.

MOTION: Direct staff to write to certain judicial candidates and inform them that the statutes require the signer of a petition to also print their name, and that some of the names appeared to have been printed by someone other than the signer. Moved by Judge Lamelas, seconded by Judge Franke.

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|--------------------------|-----|----------|-----|
| Roll call vote: Barland: | Aye | Franke: | Aye |
| Froehlich: | Aye | Lamelas: | Aye |
| Nichol: | Aye | Vocke: | No |

Motion carried 5-1.

MOTION: Certify ballot status for all 91 candidates listed as “approved” or “pending,” and deny ballot status for the 10 candidates listed as “denied” on the Candidates Registered by Office” report on Ballot reports, on Pages 25 through 39 of the G.A.B. meeting materials of January 13, 2015. Moved by Judge Nichol, seconded by Judge Vocke.

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|--------------------------|-----|----------|-----|
| Roll call vote: Barland: | Aye | Franke: | Aye |
| Froehlich: | Aye | Lamelas: | Aye |
| Nichol: | Aye | Vocke: | Aye |

Motion carried unanimously.

Judge Froehlich called a recess at 2:48 p.m. The Board reconvened at 2:59 p.m.

I. 2014 Annual Reports Regarding Use of HAVA Funds and 2014 Elections Division Accomplishments.

Mr. Haas made an oral presentation based on written reports found beginning on page 46 of the January 2015 Board meeting materials. He noted that many of the HAVA activities described in the report were not covered by the Legislative Audit Bureau’s recent audit report.

Judge Froehlich and Mr. Haas discussed the report of the Presidential Commission on Election Administration’s recommendations, which staff presented to the Board in May 2014. The Board discussed sharing the accomplishments report with members of the Legislature.

J. Status Report on Compliance with LAB Audit Report Recommendations

Director Kennedy made an oral presentation based on written reports found beginning on page 89 of the January 2015 Board meeting materials, which include a spreadsheet showing each of the audit bureau’s recommendations and their current status. He said staff expects all recommendations except those to promulgate administrative rules will have a status of complete by April 15.

Judge Froehlich commended staff on an excellent report. The Board and staff discussed plans for Board Members to attend the Joint Committee on Legislative Audit hearing scheduled for January 14, at which the audit report will be discussed.

K. Request for Approval of Administrative Rule Scope Statements

Staff Counsel Nathan Judnic made an oral presentation based on written reports found beginning on page 95 of the January 2015 Board meeting materials. He said the agency’s first step is to submit scope statements to the Governor for approval.

Judge Franke asked about the need to repeal administrative rules the Board never adopted following its statutorily-required review of old Elections Board and Ethics Board rules in 2008 and 2009. Director Kennedy said rules that were not adopted were never formally repealed, and it is not clear whether a scope statement needs to be submitted to repeal those rules.

The Board and staff further discussed the process of promulgating new rules and repealing old rules.

MOTION: Direct staff to draft and submit statements of scope to the Governor’s Office for approval on the subject areas contained in Section A., paragraphs 1-6 of the memorandum starting on page 95 of the January 2015 Board meeting materials; direct staff to draft and submit a statement of scope to the Governor’s Office for approval on the subject area contained in Section A., paragraph 7 of the memorandum; direct staff to continue the promulgation of rules contained in Section B, paragraphs 1-2 of the memorandum; and direct staff to take steps to remove Administrative Rules identified by the LAB through its audit that were not adopted by the GAB in its initial review of rules in 2008. Moved by Judge Nichol, seconded by Judge Barland.

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|--------------------------|-----|----------|-----|
| Roll call vote: Barland: | Aye | Franke: | Aye |
| Froehlich: | Aye | Lamelas: | Aye |
| Nichol: | Aye | Vocke: | Aye |

Motion carried unanimously.

L. Proposed Legislative Agenda – Ethics and Accountability Division

Campaign Finance

Ethics Division Administrator Jonathan Becker and Ethics Specialist Brian Bell made a brief oral presentation based on written reports found beginning on page 129 of the January 2015 Board meeting materials. A Board subcommittee of Judge Barland and Judge Froehlich addressed campaign finance issues and a subcommittee of Judge Vocke and Judge Franke addressed ethics and lobbying issues.

Judge Vocke stated that certain people have taken Board Members comments about campaign finance law out of context, and have erroneously jumped to the conclusion that the entirety of Chapter 11 is unenforceable. He said the context of the discussion was Judge Barland’s comment that the Legislature should look at the entirety of Chapter 11 rather than making piecemeal changes. Judge Barland said he concurred.

Judge Lamelas said that while the Board prefers a comprehensive approach to rewriting Chapter 11, the suggestions of staff at the last Board meeting were not sufficiently acknowledged. Given the news articles about some legislators plans to move swiftly in rewriting Chapter 11, she suggested adding language to the proposed resolution offering the Board and staff’s expertise and assistance to the Legislature. Judge Barland agreed, and said he has gotten the impression from some legislators that Legislative Council study committees are not used as much as in the past. He said campaign finance is a profound issue of election law, and the worst thing would be a piecemeal change or an ill-informed change.

The Board and staff discussed possible changes to the draft resolution.

MOTION: Delete the third whereas clause from the draft motion. Moved by Judge Franke, seconded by Judge Vocke.

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| Roll call vote: Barland: | Aye | Franke: | Aye |
| Froehlich: | Aye | Lamelas: | Aye |
| Nichol: | Aye | Vocke: | Aye |

Motion carried unanimously.

MOTION: Incorporate Judge Lamelas’ language offering the Board and staff’s assistance: “3. Whether or not a Legislative Council study committee is established, the Board, being persuaded that revision of campaign finance laws is necessary, offers its assistance, experience and cooperation to the Legislature in revision of campaign finance laws.” Moved by Judge Vocke, seconded by Judge Nichol. Motion carried unanimously.

MOTION: Adopt the resolution on pages 130 and 131 of the January 2015 Board meeting materials, as amended, urging the Legislature to undertake a comprehensive review of campaign finance law in Wis. Stats. Ch. 11 through establishment of a Legislative Council study

committee, and offering the Legislature the Board’s assistance, experience and cooperation.
Moved by Judge Vocke, seconded by Judge Barland.

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| Roll call vote: Barland: | Aye | Franke: | Aye |
| Froehlich: | Aye | Lamelas: | Aye |
| Nichol: | Aye | Vocke: | Aye |

Motion carried unanimously.

Ethics and Lobbying

Judge Vocke reported that he and Judge Franke met several times to discuss the staff’s memorandum, starting on page 132 of the January 2015 Board meeting materials. He said they categorized the 19 suggestions into three categories: those the Board strongly recommends, those that the Board simply suggests, and those that are policy decisions to be made by the Legislature. A marked-up copy of the memorandum was distributed to Board members, staff and the public at the meeting.

The Board and staff discussed ways to rework the memorandum.

MOTION: Direct staff to rework the memorandum as discussed, distribute the memorandum to Board members for comments, and present the final memorandum to the Board Chair, who will determine whether a special meeting of the Board is needed before sending the memorandum to the Legislature. Moved by Judge Nichol, seconded by Judge Lamelas.

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| Roll call vote: Barland: | Aye | Franke: | Aye |
| Froehlich: | Aye | Lamelas: | Aye |
| Nichol: | Aye | Vocke: | Aye |

Motion carried unanimously.

M. Director’s Report

Director Kennedy briefly discussed the upcoming hearing by the Joint Committee on Legislative Audit about the audit of the G.A.B.

N. Closed Session

Adjourn to closed session as required by statutes to deliberate on requests for advice under the Code of Ethics for Public Officials and Employees, lobbying law, and campaign finance law; to consider the investigation of possible violations of Wisconsin’s lobbying law, campaign finance law, and Code of Ethics for Public Officials and Employees; to confer with counsel concerning pending litigation; and to consider performance evaluation data of a public employee over which it exercises responsibility.

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 deliberate on requests for advice under the Code of Ethics for Public Officials and Employees, lobbying law, and campaign finance law; 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 Vocke, seconded by Judge Nichol.

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|--------------------------|-----|----------|-----|
| Roll call vote: Barland: | Aye | Franke: | Aye |
| Froehlich: | Aye | Lamelas: | Aye |
| Nichol: | Aye | Vocke: | Aye |

Motion carried unanimously. The Board took a brief recess and convened in closed session at 4:36 p.m.

Summary of Significant Actions Taken in Closed Session:

- A. Complaints: Six matters considered, one dismissed, one warning letter authorized.
- B. Investigations: One matter considered – staff authorized to seek forfeiture.
- C. Advice: Board briefed on oral advice provided by staff.
- D. Litigation: One pending matter considered.

M. Adjourn

The Board adjourned in closed session at 6:06 p.m.

####

The next regular meeting of the Government Accountability Board is scheduled for Wednesday, March 4 and Thursday, March 5, 2015, at the G.A.B. office, 212 E. Washington Ave., in Madison, Wisconsin beginning at 9:00 a.m.

January 13, 2015 Government Accountability Board meeting minutes prepared by:

Reid Magney, Public Information Officer

January 22, 2015

January 13, 2015 Government Accountability Board meeting minutes certified by:

Judge Thomas Barland, Board Secretary

March 4, 2015

State of Wisconsin\Government Accountability Board

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JUDGE GERALD C. NICHOL
Chair

KEVIN J. KENNEDY
Director and General Counsel

Wisconsin Government Accountability Board

212 East Washington Avenue
Madison, Wisconsin
January 21, 2015
1:30 p.m.

Open Session Minutes

Present: Judge Gerald Nichol (in person), Judge Elsa Lamelas, Judge Thomas H. Barland, Judge John Franke, Judge Harold Froehlich and Judge Timothy Vocke (by telephone)

Staff present: Kevin Kennedy, Jonathan Becker, Michael Haas, Nathan Judnic, Sharrie Hauge, and Reid Magney

A. Call to Order

Judge Nichol called the meeting to order at 1:31 p.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. Per Diem Payment

Board members discussed the amount of time they spent preparing for the meeting of January 13, the legislative committee hearing on January 14 and today's meeting.

MOTION: Approve one and one-half per diem for the meeting of January 13. Moved by Judge Vocke, seconded by Judge Franke. Motion carried unanimously.

MOTION: Approve one-half per diem for those Board members who attended the January 14 meeting of the Joint Committee on Legislative Audit. Moved by Judge Vocke, seconded by Judge Barland. Motion carried unanimously.

MOTION: Approve one-half per diem for today's meeting. Moved by Judge Vocke, seconded by Judge Franke. Motion carried unanimously.

D. Closed Session

Adjourn to closed session as required by statutes to deliberate on requests for advice under the Code of Ethics for Public Officials and Employees, lobbying law, and campaign finance law; to consider the investigation of possible violations of Wisconsin’s lobbying law, campaign finance law, and Code of Ethics for Public Officials and Employees; to confer with counsel concerning pending litigation; and to consider performance evaluation data of a public employee over which it exercises responsibility.

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 deliberate on requests for advice under the Code of Ethics for Public Officials and Employees, lobbying law, and campaign finance law; 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 Vocke, seconded by Judge Barland.

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|--------------------------|-----|----------|-----|
| Roll call vote: Barland: | Aye | Franke: | Aye |
| Froehlich: | Aye | Lamelas: | Aye |
| Nichol: | Aye | Vocke: | Aye |

Motion carried unanimously. The Board convened in closed session at 1:41 p.m.

Summary of Significant Actions Taken in Closed Session:

- A. Complaints: two matters considered.
- B. Personnel: two matters considered.

E. Adjourn

The Board adjourned in closed session at 3:17 p.m.

#####

The next regular meeting of the Government Accountability Board is scheduled for Wednesday, March 4 and Thursday, March 5, 2015, at the G.A.B. office, 212 E. Washington Ave., in Madison, Wisconsin beginning at 9:00 a.m.

January 21, 2015 Government Accountability Board meeting minutes prepared by:

Reid Magney, Public Information Officer

January 30, 2015

January 21, 2015 Government Accountability Board meeting minutes certified by:

Judge Thomas Barland, Board Secretary

March 4, 2015

DRAFT

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JUDGE GERALD C. NICHOL
Chair

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the Board Meeting of March 4-5, 2015

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy
Director and General Counsel

Prepared and Presented by:
Matthew Kitzman
Voting Equipment Elections Specialist

SUBJECT: 2014 Voting Equipment Audit Report

Attached is the report prepared by Board staff summarizing the results of the voting equipment audit conducted by local election officials as well as Board staff following the 2014 General Election. The voting equipment audit was completed pursuant to Wis. Stat. §7.08(6), in order to determine whether the error rate of voting systems in counting ballots is within acceptable limits established by the federal government.

The 2014 post-election voting equipment audit report includes two separate documents:

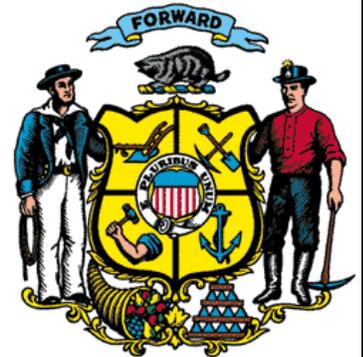
1. A report detailing the history of voting equipment audits, the procedures used for voting equipment audits, and a summary of the 2014 post-election voting equipment audit.
2. A spreadsheet containing data on individual reporting units selected to complete the 2014 post-election voting equipment audit, including number of voters, number of votes cast on a particular voting system, number of votes hand counted at the audit, and a description of differences between the machine tape and hand count.

Recommended Motion:

The Board accepts the attached report submitted by G.A.B. staff concerning the 2014 post-election voting equipment audit.



State of Wisconsin Government Accountability Board



2014 Voting Equipment Audit Report

March 2015



**Wisconsin Government Accountability
Board**

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Introduction

Wis. Stat. § 7.08(6) is the state embodiment of § 301(a)(5) of the Help America Vote Act (HAVA). Wis. Stat. § 7.08(6), requires the Government Accountability Board (G.A.B.) to audit each voting system that is used in this state following each General Election:

(6) Enforcement of federal voting system standards. Following each general election, audit the performance of each voting system used in this state to determine the error rate of the system in counting ballots that are validly cast by electors. If the error rate exceeds the rate permitted under standards of the federal election commission in effect on October 29, 2002, the board shall take remedial action and order remedial action to be taken by affected counties and municipalities to ensure compliance with the standards. ¹ Each county and municipality shall comply with any order received under this subsection.

This law was passed in 2005 and became effective January 1, 2006. Following the November 2006 general election, the first post-election audit was conducted in the State of Wisconsin. Wisconsin has required a “complete, permanent paper record showing all votes cast by each elector, that is verifiable by the elector, by either visual or nonvisual means as appropriate, before the elector leaves the voting area” since April 2004. Wis. Stat. § 5.91(18).

The State of Wisconsin specifically distinguishes the post-election audit requirement as separate from the required pre-election tests of electronic voting systems. The pre-election test of electronic voting system, defined by §5.84, Wisconsin Statutes, uses a pre-determined set of ballots to ensure that the voting system is properly programmed prior to Election Day. The post-election audit, on the other hand, is designed to assess how the electronic voting system performed on Election Day using the actual votes cast by electors.

The Wisconsin Government Accountability Board established detailed procedures for meeting the post-election audit requirement. Post-Election Audits fulfill many goals including:

- Creating an appropriate level of public confidence in the results of an election;
- Deterring fraud against the voting system;
- Detecting and providing information about large-scale, systemic errors;
- Providing feedback that will allow jurisdictions to improve voting technology and election administration in future years;

¹ The current federal standard is 1 in 500,000 ballots. Accordingly, auditing teams must reconcile the Voter Verified Paper Record with ballots or records tabulated and recorded by equipment and eliminate any potential non-tabulation related sources of error including printer malfunctions, voter generated ballot marking errors, poll worker errors, or chief inspector errors.

- Providing additional incentives and benchmarks for elections staff to reach higher standards of accuracy; and
- Confirming, to a high level of confidence, that a complete manual recount would not change the outcome of the race.

The effectiveness of the audit is enhanced by several features, including:

- Use of a completely transparent and random selection process for choosing reporting units to be audited;
- Conducting audits for state and local offices;
- Ensuring a minimum number of reporting units for each model of equipment is represented in the audited reporting units;
- Use of counting methods that include overvotes, undervotes, blank ballots, and spoiled ballots; and
- Auditing of all ballots tabulated on Election Day including absentee ballots.

Since 2006, the G.A.B. has conducted audits on voting equipment within the state. With the 2006 report, the audit verified that the machine tallying functions on all electronic voting equipment models tabulated correctly. The report also indicated that there were no identifiable bugs, errors, or failures of the direct recording electronic (DRE) equipment used in the 2006 general election.

In 2008, Board staff reformed the audit program given the unsustainably high costs both in terms of personnel and financial expenses. The Board staff began asking municipal clerks to conduct audits at the municipal and county level, and mail audit materials to the Board offices for staff to complete, instead of staff completing the audits onsite. In 2010, the Board continued requiring municipalities to conduct audits at the municipal level with assistance from G.A.B. staff. Municipal and county officials have performed the majority of voting equipment audits following the canvass process. In spite of the considerable demands on their time, most of Wisconsin's clerks in audited jurisdictions have diligently completed the voting equipment audits, providing staff with considerable evidence of the accuracy of the voting equipment used within the state.

In 2012, Board staff reformed the audit program to begin auditing double the amount of reporting units from previous audits. This meant auditing over one hundred (100) reporting units. Municipalities continued to be required to perform voting equipment audits at the municipal level, with assistance from G.A.B. staff. In 2014, the G.A.B. implemented procedures and reporting unit numbers similar to those used in the 2012. Municipalities were again required to perform audits at the municipal level. Many municipalities worked with their respective county clerks to conduct the required voting equipment audits. G.A.B. staff assisted municipalities with planning, and auditing procedures, review of initial audit results, ideas and methods for resolving

potential discrepancies, and in limited circumstances conducting a third count of the ballots to verify the voting equipment results report against the hand count audits.

The audits reveal matters for future consideration by the Legislature, the Board, the County and Municipal Clerks, as well as concerned citizens. As noted in the Board's previous audits, the voting equipment used within the state, while accurate, is aging and beginning to show signs of wear that many municipalities will need to address. The audit also underscored the necessity of educating voters on the voting process as well as the continued need to have technology in place that makes the voting experience easily understandable and accessible by all voters.

Overview of Audit Procedures

The Government Accountability Board randomly selects a pre-determined number of reporting units across Wisconsin to target for municipal audits, including a minimum of five (5) reporting units for each voting system used in Wisconsin. The audits are conducted in accordance with the procedures set forth below. Both the municipal and county clerk of reporting units selected for audit are notified of the selection. If fewer than five (5) reporting units for any voting system are selected through the random selection process, then additional reporting units are randomly selected for the voting system until five reporting units per voting system have been selected. Any reporting unit selected for audit that is subject to a recount is replaced by another reporting unit selected at random by the G.A.B. For good cause, the G.A.B. may identify other reporting units to be audited.

Pre-Audit Preparations

The audit shall be open to the public. Members of the public may not interfere with the conduct of the audit. The time and location of the audit must be posted at least 48 hours prior to the audit. Audits may commence as soon as notification is provided by the G.A.B. The audit must be conducted no later than two (2) weeks after the Government Accountability Board certifies the election results.

Upon notification by the Government Accountability Board that the municipality shall conduct an audit of a selected reporting unit, the municipal clerk shall make arrangements with the county clerk and the county board of canvassers to preserve and retain the election materials including voter lists, the Inspectors' Statement (GAB-104), Tally Sheets (GAB-105), reports printed or generated by the voting system, ballots and any other required materials that will be used during the audit. All materials subject to audit must be retained in a secure location by either the municipal or county clerk.

Upon agreement of the municipality and county, the county clerk or county board of canvassers may perform the audit of the selected reporting unit(s) in lieu of the municipality. In this instance, the county would be entitled to any reimbursement provided by the Government Accountability Board.

General Procedures

1. The municipality shall acknowledge receipt of their selection for the post-election voting system audit and confirm with the G.A.B. the following information for each reporting unit selected:
 - a. Voting System Type
 - b. Voting Equipment Model
 - c. Touch Screen Voting Equipment Model
2. Four (4) contests shall be audited, including the top contest on the ballot (Governor). The other selected audit contests were: Attorney General, State Treasurer, Sheriff.

3. The clerk shall publicly post notice of the time and location for the voting system audit at least 48 hours prior to the scheduled audit.
4. A minimum of two individuals shall participate in the audit. Votes shall be tallied by hand for the contests included in the audit. For some voting systems, this will require counting the votes listed on the voter-verified paper audit trail generated by the voting system on Election Day. At least two auditors shall each determine an independent total for each contest. These totals shall then be compared to each other. If the auditors' totals agree, the totals are then compared to the results generated by the voting system and any discrepancies are recorded.
5. If any offices contain an overvote, no vote is counted for that office, and is considered an undervote.
6. Auditors should only count votes as the equipment would have counted them. Because the purpose of the audit is to evaluate the performance of the voting equipment in accurately tabulating ballots, auditors do not attempt to assess voter intent for a ballot that is not marked according to the ballot instructions. In some cases, it may not be clear exactly how the ballot would have been counted by the voting equipment. Auditors should document in the minutes any ballots where it is unclear how the voting system would count the ballot. The auditors should include in the minutes how they counted the ballot as well as all reasonable alternatives on how the machine may have counted the ballot.

Example: Ballot 93, voter marked both Jane Doe and John Smith and attempted to erase the mark for John Smith. We counted it as a vote for Jane Doe, but the machine may have read this as an overvote in this contest. This may result in our tally having one more vote for Jane Doe and one less undervote in this contest.

It may be possible that the auditors' totals do not match the voting equipment results report, but as long as any difference in the totals can be reasonably explained by reference to specific ballots, this is not considered to be an error with the voting system.

Recommended Audit Procedures

Set-Up

1. Count out ballots into sets of 100.
2. Label stacks-each ballot will have a unique number (1-100, 101-200, 201-300, etc.)

Note: Two people review each ballot. Auditors should rotate the stacks between them – i.e. Person A works on Stack 1-100 while Person B works on Stack 101-200, etc...then they switch. Person A and Person B will each individually go through all the ballots. Keeping the stacks in order allows the auditors to narrow down discrepancies between them instead of recounting all ballots over and over again.

Each Auditor Individually

1. Tally votes in groups of 20 – the goal is to be able to narrow discrepancies between individual tallies down to the smaller groups of 20.
2. Keep separated in subgroups of 20 while tallying – it is helpful to keep the group of 100 in one stack but to alternate the directions of the subgroups of 20.
3. Add subtotals after 100 ballots are complete.
4. Add subtotals together; confirm total is 100.
5. Repeat 1-4 in sets of 100 until all ballots are counted.

Auditors Jointly

1. Compare individual tallies for each contest audited.
 - a. Circle any discrepancies between the two tallies.
 - b. If tallies do not match, recount the sub-group of 20 to determine which tally is correct. You should use a new tally sheet labeled “Recount [insert Stack Number/Subgroup]”.
2. After any discrepancies are reconciled, add the stack totals together to determine the total vote in each contest audited.
3. Compare to electronic voting machine (EVM) total.
 - a. If the totals match, note that they match on the reporting form.
 - b. If the hand tally and voting equipment tally does not match for a contest, the auditors review the minutes for ballots that were ambiguously marked that could explain the discrepancy. If the discrepancy can be reasonably explained by specific reference to these ballots, record that explanation on the reporting form.
 - c. If the minutes do not provide a reasonable explanation for the discrepancy, calculate the error rate and note the actual difference in votes and the error rate on the reporting form.

Post-Audit Procedures

Each municipality conducting an audit must submit the designated reporting forms and supporting documents from the audit, including tally sheets, to the Government Accountability Board (G.A.B.) to indicate the audit was completed and describe any discrepancies found.

The G.A.B. staff may, at its sole discretion, request that the municipality submit all audit materials, including the source documents (ballots, poll lists, etc.) to the G.A.B. for further review. In such a case, the G.A.B. will reimburse the municipality for the associated postage/shipping costs.

In the event that a discrepancy between the machine tally and the paper record tally cannot be reasonably explained, the G.A.B. will request that the voting equipment manufacturer investigate and explain the reasons for any differences between the machine tally and the paper record tally. Should the vendor fail to provide a sufficient written explanation, including recommendations for preventing future occurrences, within 30 days of notification, the G.A.B. will suspend approval of the affected voting system in Wisconsin. This suspension will be implemented immediately, pending an appeal by the vendor to the Board, which must be filed within 30 days.

Based upon the results of the audit, the Government Accountability Board may, at its sole discretion, choose to re-test the voting system per GAB Chapter 7. Such a test would be a condition of continuing approval of said voting system.

Municipal Reimbursement

The Government Accountability Board will reimburse up to \$300 per reporting unit for the costs associated with conducting each audit to those municipalities with reporting units identified for audit. Municipalities will be reimbursed (up to \$300 per reporting unit) for actual costs incurred. Appropriate documentation detailing actual costs incurred by the party conducting the audit is required for municipalities or counties to receive this reimbursement. The Government Accountability Board will not reimburse personnel costs at a rate exceeding \$10 per hour. As of February 23, 2015, the G.A.B. has reimbursed municipalities and counties a total of \$13,804.25 for the 2014 voting equipment audit.

Voting Equipment Descriptions

Touch Screen Voting Equipment

Sequoia Edge

The Board approved Sequoia's AVC-Edge with VeriVote Printer DRE system, version 5.024 on March 22, 2006. This system was approved under National Association of State Election Directors (NASSED) system ID # N-1-07-22-22-002. Most municipalities that use the AVC-Edge utilize it to meet accessibility requirements and use another system, usually traditional paper or optical scan, to fulfill the majority of voting needs.

ES&S iVotronic

The Board approved ES&S's iVotronic DRE with Real Time Audit Log, version 9.1.4.0 on April 26, 2006. This system was approved under NASSED # N-2-02-22-22-005. Most municipalities that use the iVotronic utilize it to meet accessibility requirements and use another system, usually traditional paper or optical scan, to fulfill the majority of their voting needs.

AccuVote TSX

The Board first approved Diebold's AccuVote TSX DRE Touch Screen and AccuView Printer Module, version 4.6.3 on March 22, 2006. This system was approved under NASSED # N-1-06-22-22-001. Most municipalities that use the AccuVote TSX utilize it to meet accessibility requirements and use another system, usually traditional paper or optical scan, to fulfill the majority of their voting needs.

Populex

Populex Digital Paper Ballot Voting System, version was approved by the State Elections Board at the May 17, 2006 meeting.

Optical Scan Tabulators

ES&S M100/ES&S M550

System assigned NASSED # N-2-02-22-22-005. This equipment was approved by the Elections Board April 26, 2006.

ES&S DS200

DS200 digital scanner, version 1.6.1.0, was approved by the Board on August 28, 2012. Version 2.12.00 was approved by the Board on September 4, 2014.

Optech Insight

Formerly a Sequoia Product that has been acquired by Dominion Voting, the Optech Insight optical scan ballot reader, version APXK2.10/HPX K1.42 was assigned NASED system ID # N-1-07-22-22-002. The State Elections Board approved this equipment on March 22, 2006.

Optech Eagle

The Optech IIP Eagle originally made by Business Records Corporation and later (as a result of merger and an antitrust decision), by both Sequoia Voting Systems and by Election Systems and Software. The Optech Eagle is the longest running voting system currently in use, and in some municipalities, the Eagle has been in use for approximately twenty years.

Diebold/Premier-AccuVote-OS

This was formerly a Diebold Elections System Product that has been acquired by Dominion Voting. The AccuVote-OS (model D) Optical Scan, version 1.96.6, was approved by the State Elections Board along with a series of security recommendations, at the March 22, 2006 meeting. The system was assigned NASED system ID # N-1-06-22-22-001.

2014 Voting Equipment Audit Summary

After the 2014 General Election, G.A.B. staff selected a total of 104 reporting units across Wisconsin to conduct the 2014 post-election voting equipment audit. The municipalities selected to conduct a post-election audit include five reporting units for each piece of touch screen and optical scan voting equipment approved for use in Wisconsin. If fewer than five reporting units for any voting system were selected through the random selection process, then additional reporting units were selected by voting system until five reporting units per voting system were selected. The municipalities selected for the audit and the types of voting equipment used by each municipality are listed in Appendix A.

There were two exceptions to the “five reporting unit” rule related to touch screen voting equipment. The Populex equipment is used by only two municipalities, encompassing three wards, and therefore those reporting units are included in every voting equipment audit. In addition, G.A.B. records used for the random draw of reporting units incorrectly stated that the Village of Menomonee Falls used the iVotronic. The City of Adams was also removed as an audit municipality because G.A.B. staff records incorrectly listed the voting equipment used by the City of Adams.² Upon receipt of the correct information G.A.B. staff concluded there were sufficient municipalities conducting voting equipment audits for the voting equipment used in the City of Adams. As a result, 103 reporting units conducted voting equipment audits. The municipal and county clerks were notified of the municipality’s selection to complete a voting equipment audit for one or more of the municipality’s reporting units.

These tables reflect the number of reporting units audited for each type of voting equipment.³

| Touch Screen Voting Equipment | Reporting Units Audited |
|-------------------------------|-------------------------|
| Sequoia Edge | 46 |
| AccuVote-TSX | 18 |
| iVotronic | 3 |
| Populex | 2 |

| Optical Scan Voting Equipment | Reporting Units Audited |
|-------------------------------|-------------------------|
| Sequoia Insight | 11 |
| ES&S M100 | 6 |
| Optech Eagle | 31 |
| AccuVote-OS | 17 |
| ES&S DS200 | 13 |

² Information for voting equipment used by each municipality is available on the G.A.B. website, and is what is used when conducting the random drawing for the voting equipment audit. The information contained in the document titled “Wisconsin Voting Equipment Spreadsheet 11.19.14” was gathered from surveys submitted or information obtained from municipal and county clerks.

³ Numbers in each table do not add up to the total number of reporting units audited because some reporting units use only (1) touch screen voting equipment or (2) optical scan voting equipment and the AutoMARK ballot marking device.

The 103 reporting units represent 79 municipalities throughout the state. Ten municipalities did not inform G.A.B. staff of the date and time of their scheduled audit prior to their occurrence as requested by audit procedures. No municipality completed a voting equipment audit during a municipal canvassing period. Twenty-five municipalities completed their initial audits prior to the certification of the election by the Board on December 1, 2014, as permitted by the Board's motion on October 28, 2014. One municipality did not complete their initial audit by the December 15, 2014 deadline. All municipalities submitted their initial audit materials before the end of 2014.

As of February 23, 2015 two reporting unit audits have not been closed out. The two reporting units are aware of the issues concerning their audit and are working on reconciling remaining discrepancies. Approximately 15 of the municipalities did not need to complete additional verification (conduct a second audit) after the initial audit.

Touchscreen Voting Equipment Audit Results Summary

All voting equipment audits of touch screen (Direct Recording Electronic or DRE) voting equipment were completed by municipal or county clerks, except for one, which was completed by Board staff due to a unique set of circumstances which applied to the municipality. The audit reports indicate the voting equipment tallying function on all audited touch screen devices tabulated correctly, with no identifiable bugs, errors, or failures occurring between the individual cast vote record and the total tabulated vote record. The only noted issue arose with the procedure for auditing the touch screen voting equipment paper audit trail. In one municipality the auditors incorrectly cut the tape when separating individual votes, which caused two voided ballot notices to be attributable to four individual ballot entries. However, the four ballot entries could be identified and the numbers reconciled when applying the two voided entries to two of the four individual ballots.

Optical Scan Voting Equipment Results Summary

All voting equipment audits of optical scan equipment were completed by municipal or county clerks. G.A.B. staff had to perform additional hand counts for three municipalities, in a total of three reporting units, to reconcile audit results. The individual audits indicate the optical scan voting equipment performed correctly and as expected. Minor discrepancies were reconciled (with a reasonable degree of certainty) between the audit hand counts and the voting equipment results report from election night.

Optical scan voting equipment has specifications for which type of ballot marking devices are to be used in order for voting marks to be detectable by the equipment. In instances where voters used improper marking devices (e.g. absentee voter used a pen, when the equipment required the mark to be made with a carbon-based marking device (pencil)), or marked ballots incorrectly (e.g. the voter only partially filled in the oval or arrow on the ballot), the equipment would most likely not count these ballots. In rare instances, the equipment performed better than expected and was able to read ballots, despite voter errors. Some audit teams would count improper ballots based on voter intent. In others, municipalities initially did not count ballots marked

improperly. Municipalities narrowed down vote totals to a reasonable range of ballots responsible for the vote discrepancies to the degree possible, in each circumstance.

Municipalities were able to identify ballots that were likely responsible for the discrepancy in vote totals to a reasonable degree of certainty. The initial difference in totals were attributable to voter error and not machine inaccuracy. Questionable voter errors that teams identified as being “not readable” to a reasonable degree of certainty were in the range of one to ten ballots. The reports indicated that there were no identifiable bugs, errors, or failures of the optical scan voting equipment used in the 2014 general election.

Many of the initial errors in the voting equipment audits occurred because voter intent was taken into account when hand counting ballots. In addition, clerks were unaware that the hand count audit must be done with no human error on the part of the auditors in order to reconcile the audit with the election night voting equipment results. In each circumstance the auditors’ additional verification located a potential problem ballot or clarified that the vote totals were correct and the swapped votes were human error. In very limited situations some optical scan equipment would jam, requiring ballots to be fed through the equipment for a second time. Jams occur because the ballot bin is full, or due to the condition of the ballot or the age of the machine.

Two reporting units are unable to be reconciled due to human error either on election night or between election night and the date of the voting equipment audit. One municipality’s audit could not be officially reconciled because one ballot was misplaced between being cast on election night and the voting equipment audit. The city clerk discussed the matter with elections inspectors, double-checked the optical scan voting equipment, reviewed the inspector’s statement, and conducted a second audit to try to locate the error. The voting equipment audit results are correct, with the exception of one missing vote in each contest.

Another municipality had an “un-processable error” on a ballot, for which the machine did not tabulate votes for any particular candidate. However, that un-processable error ballot was not marked, recorded, or made apparent so that it could be discounted when conducting the voting equipment audit. Therefore, the municipality’s audit has one additional vote in each contest. ES&S was contacted to inquire as to the meaning of the “un-processable error” status code. ES&S indicated this error is used when a ballot is overridden and the machine is unable to read the ballot as a ballot. The machine may not have been able to read a ballot because the timing marks were wet or crinkled, or the motor operated incorrectly causing the image scanner to not recognize what it was reading. Normally these ballots are striped with a red mark and placed in the center bin. However, given that this type of error occurs infrequently the ink may not have been installed or maintained by the municipality, which caused no distinguishing mark on the ballot. Additionally, election inspectors could have either remade the ballot or could have provided the voter with the opportunity to spoil the ballot and vote a re-issued ballot.

Conclusion/Recommendations

Both the touch screen voting equipment and optical scan voting equipment used and audited for the 2014 general election tabulated as expected and according to vendor specifications.

The recent Legislative Audit Bureau stated that previous voting equipment audits were not completed in a timely manner, mainly referring to the 2008 and 2010 voting equipment audits. While there were several reasons for those delays, this audit was completed less than four months from the date of the 2014 General Election. Board staff appreciates the diligent work of local election officials which made it possible to complete the 2014 voting equipment audit in a timely manner.

Based upon feedback from some clerks, Board staff believes that the audit instructions can be improved to make them more understandable to clerks who may not conduct them frequently, describe likely problems auditors may encounter during the audit, and emphasize that auditors are free to and encouraged to contact the G.A.B. in the event that a discrepancy is found that they cannot account for. Additional language concerning the reason for the voting equipment audit and the need for it to be free of auditor human error could increase understanding on the part of clerks and auditors. Previous audit reports have recommended the use of webinars to assist clerks in conducting a voting equipment audit correctly, and pursuing that approach remains a goal of Board staff to provide clerks and auditors with visual and/or additional training on the purpose and procedures for conducting a voting equipment audit. Lastly, Board staff will work with municipal and county clerks to continually update and ensure the accuracy of G.A.B. records concerning the equipment used by each municipality.

Appendix A

Table 1. Table of 2014 Municipalities Audited

| Municipality | Reporting Unit | County | Optical Scan Voting Equipment | Touch Screen Voting Equipment |
|-----------------------------------|---------------------------------|------------|--|---|
| CITY OF BURLINGTON - MAIN - 52206 | CITY OF BURLINGTON WARDS 5 - 8 | RACINE | Optech- Eagle | Dominion (Sequoia) – AVC Edge |
| CITY OF CHETEK - 03211 | CITY OF CHETEK WARDS 1 - 4 | BARRON | Dominion (Sequoia)/Command Central-Sequoia Insight | Dominion (Sequoia)/Command Central-Edge |
| CITY OF CHIPPEWA FALLS - 09211 | CITY OF CHIPPEWA FALLS WARD 5 | CHIPPEWA | Dominion (Sequoia)/Command Central-Sequoia Insight | Dominion (Sequoia)/Command Central-Edge |
| CITY OF EAU CLAIRE - ALT - 09221 | CITY OF EAU CLAIRE WARD 41 | CHIPPEWA | Optech- Eagle | Dominion (Sequoia)/Command Central-Edge |
| CITY OF EAU CLAIRE - MAIN - 18221 | CITY OF EAU CLAIRE WARD 17 | EAU CLAIRE | Optech- Eagle | Dominion (Sequoia)/Command Central-Edge |
| CITY OF EAU CLAIRE - MAIN - 18221 | CITY OF EAU CLAIRE WARD 27 | EAU CLAIRE | Optech- Eagle | Dominion (Sequoia)/Command Central-Edge |
| CITY OF EAU CLAIRE - MAIN - 18221 | CITY OF EAU CLAIRE WARD 9 | EAU CLAIRE | Optech- Eagle | Dominion (Sequoia)/Command Central-Edge |
| CITY OF GREEN BAY - 05231 | CITY OF GREEN BAY WARD 10 | BROWN | ES&S DS200 | ES&S Automark |
| CITY OF GREEN BAY - 05231 | CITY OF GREEN BAY WARD 45 | BROWN | ES&S DS200 | ES&S Automark |
| CITY OF GREENFIELD - 41236 | CITY OF GREENFIELD WARD 15 | MILWAUKEE | Optech- Eagle | ES&S Automark |
| CITY OF HURLEY - 26236 | CITY OF HURLEY WARD 2 | IRON | None | Dominion (Sequoia)/Command Central-Edge |
| CITY OF JANESVILLE - 54241 | CITY OF JANESVILLE WARD 28 | ROCK | Optech- Eagle | ES&S Automark |
| CITY OF KENOSHA - 30241 | CITY OF KENOSHA WARD23 | KENOSHA | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| CITY OF KENOSHA - 30241 | CITY OF KENOSHA WARD87 | KENOSHA | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| CITY OF MADISON - 13251 | CITY OF MADISON Ward 119 | DANE | ES&S DS200 | ES&S Automark |
| CITY OF MADISON - 13251 | CITY OF MADISON Ward 31 | DANE | ES&S DS200 | ES&S Automark |
| CITY OF MADISON - 13251 | CITY OF MADISON Ward 35 | DANE | ES&S DS200 | ES&S Automark |
| CITY OF MADISON - 13251 | CITY OF MADISON Ward 55 | DANE | ES&S DS200 | ES&S Automark |
| CITY OF MADISON - 13251 | CITY OF MADISON Ward 60 | DANE | ES&S DS200 | ES&S Automark |
| CITY OF MILWAUKEE - MAIN - 41251 | CITY OF MILWAUKEE WARD 041 | MILWAUKEE | Optech- Eagle | ES&S Automark |
| CITY OF MILWAUKEE - MAIN - 41251 | CITY OF MILWAUKEE WARD 113 | MILWAUKEE | Optech- Eagle | ES&S Automark |
| CITY OF MILWAUKEE - MAIN - 41251 | CITY OF MILWAUKEE WARD 146 | MILWAUKEE | Optech- Eagle | ES&S Automark |
| CITY OF MILWAUKEE - MAIN - 41251 | CITY OF MILWAUKEE WARD 153 | MILWAUKEE | Optech- Eagle | ES&S Automark |
| CITY OF MILWAUKEE - MAIN - 41251 | CITY OF MILWAUKEE WARD 172 | MILWAUKEE | Optech- Eagle | ES&S Automark |
| CITY OF MILWAUKEE - MAIN - 41251 | CITY OF MILWAUKEE WARD 202 | MILWAUKEE | Optech- Eagle | ES&S Automark |
| CITY OF MILWAUKEE - MAIN - 41251 | CITY OF MILWAUKEE WARD 283 | MILWAUKEE | Optech- Eagle | ES&S Automark |
| CITY OF MILWAUKEE - MAIN - 41251 | CITY OF MILWAUKEE WARD 305 | MILWAUKEE | Optech- Eagle | ES&S Automark |
| CITY OF MILWAUKEE - MAIN - 41251 | CITY OF MILWAUKEE WARD 313 | MILWAUKEE | Optech- Eagle | ES&S Automark |
| CITY OF OCONOMOWOC - 68265 | CITY OF OCONOMOWOC Wards 1-3 | WAUKESHA | Dominion (Sequoia)/Command Central-Sequoia Insight | Dominion (Sequoia) – AVC Edge |
| CITY OF OCONTO - 43265 | CITY OF OCONTO WARDS 1-7 | OCONTO | Optech- Eagle | Dominion (Sequoia)/Command Central-Edge |
| CITY OF OSHKOSH - 71266 | CITY OF OSHKOSH Ward 17 | WINNEBAGO | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| CITY OF OSHKOSH - 71266 | CITY OF OSHKOSH Ward 19 | WINNEBAGO | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| CITY OF OSHKOSH - 71266 | CITY OF OSHKOSH Ward 26 | WINNEBAGO | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| CITY OF PRAIRIE DU CHIEN - 12271 | CITY OF PRAIRIE DU CHIEN Ward 1 | CRAWFORD | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |

| | | | | |
|----------------------------------|--------------------------------|------------|--|---|
| CITY OF RACINE - 52276 | CITY OF RACINE WARD 21 | RACINE | Optech- Eagle | Dominion (Sequoia)/Command Central-Edge |
| CITY OF RHINELANDER - 44276 | CITY OF RHINELANDER Ward 10 | ONEIDA | Optech- Eagle | Dominion (Sequoia)/Command Central-Edge |
| CITY OF VERONA - 13286 | CITY OF VERONA WARDS 6-9 | DANE | ES&S DS200 | ES&S Automark |
| CITY OF WAUKESHA - 68291 | CITY OF WAUKESHA Ward 14 | WAUKESHA | Dominion (Sequoia)/Command Central-Sequoia Insight | Dominion (Sequoia)/Command Central-Edge |
| CITY OF WAUKESHA - 68291 | CITY OF WAUKESHA Ward 25 | WAUKESHA | Dominion (Sequoia)/Command Central-Sequoia Insight | Dominion (Sequoia)/Command Central-Edge |
| CITY OF WAUKESHA - 68291 | CITY OF WAUKESHA Ward 35 | WAUKESHA | Dominion (Sequoia)/Command Central-Sequoia Insight | Dominion (Sequoia)/Command Central-Edge |
| CITY OF WEST ALLIS - 41292 | CITY OF WEST ALLIS Ward 1 | MILWAUKEE | Optech- Eagle | ES&S Automark |
| CITY OF WEST ALLIS - 41292 | CITY OF WEST ALLIS Ward 12 | MILWAUKEE | Optech- Eagle | ES&S Automark |
| CITY OF WEST ALLIS - 41292 | CITY OF WEST ALLIS Ward 15 | MILWAUKEE | Optech- Eagle | ES&S Automark |
| CITY OF WEST ALLIS - 41292 | CITY OF WEST ALLIS Ward 22 | MILWAUKEE | Optech- Eagle | ES&S Automark |
| CITY OF WHITEWATER - ALT - 28292 | CITY OF WHITEWATER Wards 10-11 | JEFFERSON | ES&S DS200 | Dominion (Premier)-Accuvote TSX |
| TOWN OF ALVIN - 21002 | TOWN OF ALVIN Ward 1 | FOREST | None-We Use Paper Ballots | Dominion (Sequoia) – AVC Edge |
| TOWN OF ANDERSON - 26002 | TOWN OF ANDERSON ward 1 | IRON | None | Dominion (Sequoia) – AVC Edge |
| TOWN OF BEAVER - 10002 | TOWN OF BEAVER WARD 1 | CLARK | ES&S M100 | ES&S iVotronic |
| TOWN OF BROOKLYN - 24004 | TOWN OF BROOKLYN Wards 1 - 3 | GREEN LAKE | Optech- Eagle | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF BURLINGTON - 52002 | TOWN OF BURLINGTON WARD 11 | RACINE | Optech- Eagle | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF CAMPBELL - 32008 | TOWN OF CAMPBELL Wards 1 - 6 | LA CROSSE | ES&S DS200 | ES&S Automark |
| TOWN OF CLYMAN - 14012 | TOWN OF CLYMAN WARD 1 | DODGE | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| TOWN OF CRESCENT - 44004 | TOWN OF CRESCENT Wards 1 - 3 | ONEIDA | Optech- Eagle | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF DAY - 37016 | TOWN OF DAY Wards 1 & 2 | MARATHON | ES&S M100 | ES&S Automark |
| TOWN OF DEKORRA - 11010 | TOWN OF DEKORRA Wards 1 - 3 | COLUMBIA | ES&S M100 | ES&S Automark |
| TOWN OF FAIRBANKS - 59014 | TOWN OF FAIRBANKS WARD 1 | SHAWANO | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF FERN - 19008 | TOWN OF FERN WARD 1 | FLORENCE | None | Populex-Populex 2.3 |
| TOWN OF FOSTER - 10012 | TOWN OF FOSTER WARD 1 | CLARK | None-We Use Paper Ballots | ES&S iVotronic |
| TOWN OF FOX LAKE - 14018 | TOWN OF FOX LAKE WARDS 1-4 | DODGE | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| TOWN OF GARDEN VALLEY - 27020 | TOWN OF GARDEN VALLEY WARD 1 | JACKSON | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF GERMANTOWN - 29012 | TOWN OF GERMANTOWN WARDS 1 & 3 | JUNEAU | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF GRANT - 17010 | TOWN OF GRANT WARDS 1-2 | DUNN | Optech- Eagle | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF GULL LAKE - 66024 | TOWN OF GULL LAKE Ward 1 | WASHBURN | None-We Use Paper Ballots | Populex-Populex 2.3 |
| TOWN OF HARRISON - 35010 | TOWN OF HARRISON Ward 1-3 | LINCOLN | ES&S DS200 | ES&S Automark |
| TOWN OF HARRISON - 69014 | TOWN OF HARRISON Ward 1 | WAUPACA | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF HARTFORD - 67012 | TOWN OF HARTFORD WARDS 1-5 | WASHINGTON | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| TOWN OF HAY RIVER - 17012 | TOWN OF HAY RIVER WARDS 1 & 2 | DUNN | Optech- Eagle | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF HERMAN - 59024 | TOWN OF HERMAN WARD 1 - 2 | SHAWANO | Dominion (Sequoia)/Command Central-Sequoia Insight | Dominion (Sequoia) – AVC Edge |
| TOWN OF HOLWAY - 61022 | TOWN OF HOLWAY Ward 1 | TAYLOR | None-We Use Paper Ballots | ES&S iVotronic |
| TOWN OF HUBBARD - 55020 | TOWN OF HUBBARD WARD 1 | RUSK | None-We Use Paper Ballots | Dominion (Sequoia) – AVC Edge |
| TOWN OF LEBANON - 14026 | TOWN OF LEBANON WARDS 1-2 | DODGE | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| TOWN OF LEROY - 14028 | TOWN OF LEROY WARDS 1-2 | DODGE | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |

| | | | | |
|------------------------------------|---|-------------|--|---|
| TOWN OF LIMA - 60008 | TOWN OF LIMA Wards 1 - 4 | SHEBOYGAN | Dominion (Sequoia)/Command Central-Sequoia Insight | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF LINCOLN - 64014 | TOWN OF LINCOLN Wards 1-5 | VILAS | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| TOWN OF LOMIRA - 14030 | TOWN OF LOMIRA WARDS 1-2 | DODGE | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| TOWN OF MANCHESTER - 27032 | TOWN OF MANCHESTER WARD 1 | JACKSON | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF MELROSE - 27034 | TOWN OF MELROSE WARD 1 | JACKSON | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF MENASHA - 71008 | TOWN OF MENASHA Wards 3, 5, 6 | WINNEBAGO | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| TOWN OF MILLSTON - 27036 | TOWN OF MILLSTON WARD 1 | JACKSON | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF NORRIE - 37060 | TOWN OF NORRIE Ward 1 | MARATHON | ES&S M100 | ES&S Automark |
| TOWN OF PRAIRIE DU CHIEN - 12014 | TOWN OF PRAIRIE DU CHIEN WARD 1-2 | CRAWFORD | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF RIPON - 20034 | TOWN OF RIPON Wards 1-2 | FOND DU LAC | Optech- Eagle | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF SAUKVILLE - 46014 | TOWN OF SAUKVILLE WARDS 1-3 | OZAUKEE | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| TOWN OF SCHLEY - 35022 | TOWN OF SCHLEY WARDS 1-2 | LINCOLN | ES&S DS200 | ES&S Automark |
| TOWN OF SEVASTOPOL - 15022 | TOWN OF SEVASTOPOL WARDS 1, 2, 3, 4 & 5 | DOOR | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| TOWN OF SMELSER - 22054 | TOWN OF SMELSER WARDS 1 & 2 | GRANT | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF SPENCER - 37074 | TOWN OF SPENCER Wards 1 & 2 | MARATHON | ES&S M100 | ES&S Automark |
| TOWN OF SUMMIT - 34028 | TOWN OF SUMMIT Ward 1 | LANGLADE | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF WELLS - 42046 | TOWN OF WELLS WARD 1 | MONROE | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF WHITETOWN - 63042 | TOWN OF WHITETOWN WARD 1 | VERNON | None-We Use Paper Ballots | Dominion (Sequoia) – AVC Edge |
| TOWN OF WILLARD - 55046 | TOWN OF WILLARD WARD 1 | RUSK | None-We Use Paper Ballots | Dominion (Sequoia) – AVC Edge |
| TOWN OF WILTON - 42048 | TOWN OF WILTON WARDS 1 - 5 | MONROE | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |
| TOWN OF WINGVILLE - 22062 | TOWN OF WINGVILLE WARD 1 | GRANT | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |
| VILLAGE OF ADELL - 60101 | VILLAGE OF ADELL Ward 1 | SHEBOYGAN | Dominion (Sequoia)/Command Central-Sequoia Insight | Dominion (Sequoia)/Command Central-Edge |
| VILLAGE OF BELLEVUE - 05106 | VILLAGE OF BELLEVUE Wards 7-10 | BROWN | ES&S DS200 | ES&S Automark |
| VILLAGE OF CEDAR GROVE - 60112 | VILLAGE OF CEDAR GROVE Wards 1 - 3 | SHEBOYGAN | Dominion (Sequoia)/Command Central-Sequoia Insight | Dominion (Sequoia)/Command Central-Edge |
| VILLAGE OF HARTLAND - 68136 | VILLAGE OF HARTLAND WARDS 1-6 | WAUKESHA | Dominion (Sequoia)/Command Central-Sequoia Insight | Dominion (Sequoia) – AVC Edge |
| VILLAGE OF KEWASKUM - MAIN - 67142 | VILLAGE OF KEWASKUM WARDS 1 - 5 | WASHINGTON | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |
| VILLAGE OF MENOMONEE FALLS - 68151 | VILLAGE OF MENOMONEE FALLS WARD 3 | WAUKESHA | Optech- Eagle | ES&S Automark |
| VILLAGE OF MENOMONEE FALLS - 68151 | VILLAGE OF MENOMONEE FALLS WARD 7 | WAUKESHA | Optech- Eagle | ES&S Automark |
| VILLAGE OF POTOSI - 22172 | VILLAGE OF POTOSI WARD 1 | GRANT | None-We Use Paper Ballots | Dominion (Sequoia)/Command Central-Edge |
| VILLAGE OF ROTHSCHILD - 37176 | VILLAGE OF ROTHSCHILD WARD 3 & 4 | MARATHON | ES&S M100 | ES&S Automark |
| VILLAGE OF SLINGER - 67181 | VILLAGE OF SLINGER WARDS 1-8 | WASHINGTON | Dominion (Premier)-Accuvote-OS | Dominion (Premier)-Accuvote TSX |

2014 Voting Equipment Audit (supplement)

| Municipality (Separated By Reporting Unit) | Total Number of Voters by Municipality | Equipment Model | Votes Cast on Equipment | Ballots Counted by Hand in Audit | Discrepancy Explanation |
|--|--|-----------------|-------------------------|----------------------------------|---|
| BURLINGTON | 2276 | OPTECH EAGLE | 2276 | 2276 | |
| | | SEQUIOA EDGE | 0 | 0 | |
| CHETEK | 711 | SEQUIOA INSIGHT | 243 | 243 | |
| | | SEQUIOA EDGE | 222 | 222 | |
| | | SEQUIOA INSIGHT | 556 | 556 | |
| CHIPPEWA FALLS | 556 | SEQUIOA EDGE | 0 | 0 | |
| | | OPTECH EAGLE | 210 | 210 | |
| EAU CLAIRE | 274 | SEQUIOA EDGE | 64 | 64 | |
| | | OPTECH EAGLE | 998 | 998 | |
| EAU CLAIRE | 1135 | SEQUIOA EDGE | 137 | 137 | |
| | | OPTECH EAGLE | 102 | 102 | |
| EAU CLAIRE | 129 | SEQUIOA EDGE | 27 | 27 | |
| | | OPTECH EAGLE | 27 | 27 | |
| EAU CLAIRE | 34 | SEQUIOA EDGE | 7 | 7 | |
| | | OPTECH EAGLE | 27 | 27 | |
| GREEN BAY | 836 | ES&S DS200 | 521 | 521 | |
| GREEN BAY | 2064 | ES&S DS200 | 1508 | 1508 | |
| GREENFIELD | 676 | OPTECH EAGLE | 676 | 676 | |
| HURLEY | 148 | SEQUIOA EDGE | 83 | 83 | |
| JANESVILLE | 1203 | OPTECH EAGLE | 1203 | 1203 | |
| | | AccuVote-OS | 230 | 230 | |
| KENOSHA | 236 | AccuVote-TSX | 6 | 6 | |
| | | AccuVote-OS | 368 | 368 | |
| KENOSHA | 368 | AccuVote-TSX | 0 | 0 | |
| MADISON | 917 | ES&S DS200 | 917 | 917 | |
| MADISON | 872 | ES&S DS200 | 872 | 872 | |
| MADISON | 1967 | ES&S DS200 | 1967 | 1967 | |
| MADISON | 414 | ES&S DS200 | 414 | 414 | |
| MADISON | 0 | ES&S DS200 | 0 | 0 | |
| MILWAUKEE | 596 | OPTECH EAGLE | 596 | 596 | |
| MILWAUKEE | 603 | OPTECH EAGLE | 603 | 603 | |
| MILWAUKEE | 262 | OPTECH EAGLE | 262 | 262 | |
| MILWAUKEE | 684 | OPTECH EAGLE | 684 | 684 | |
| MILWAUKEE | 433 | OPTECH EAGLE | 433 | 433 | |
| MILWAUKEE | 628 | OPTECH EAGLE | 628 | 628 | |
| MILWAUKEE | 489 | OPTECH EAGLE | 489 | 489 | |
| MILWAUKEE | 691 | OPTECH EAGLE | 691 | 691 | |
| MILWAUKEE | 1402 | OPTECH EAGLE | 1402 | 1402 | |
| OCONOMOWOC | 2318 | SEQUIOA INSIGHT | 2318 | 2318 | |
| | | SEQUIOA EDGE | 0 | 0 | |
| OCONTO | 1550 | OPTECH EAGLE | 1052 | 1052 | |
| | | SEQUIOA EDGE | 256 | 256 | |
| OSHKOSH | 873 | AccuVote-OS | 759 | 759 | |
| | | AccuVote-TSX | 114 | 114 | |
| OSHKOSH | 787 | AccuVote-OS | 639 | 639 | |
| | | AccuVote-TSX | 148 | 148 | |
| OSHKOSH | 554 | AccuVote-OS | 443 | 443 | |
| | | AccuVote-TSX | 111 | 111 | |
| PRAIRIE DU CHIEN | 324 | SEQUIOA EDGE | 259 | 259 | |
| RACINE | 721 | OPTECH EAGLE | 709 | 709 | 1 ballot is an unprocessable error ballot, which can't be identified. Only 708 counted. |
| | | SEQUIOA EDGE | 12 | 12 | |
| RHINELANDER | 310 | OPTECH EAGLE | 310 | 310 | |
| | | SEQUIOA EDGE | 0 | 0 | |
| VERONA | 2948 | ES&S DS200 | 2948 | 2948 | |
| WAUKESHA | 756 | SEQUIOA INSIGHT | 717 | 717 | |
| | | SEQUIOA EDGE | 39 | 39 | |

2014 Voting Equipment Audit (supplement)

| | | | | |
|--------------------|------|------------------|------|--|
| WAUKESHA | 472 | SEQUIOIA INSIGHT | 470 | 470 |
| | | SEQUIOIA EDGE | 2 | 2 |
| WAUKESHA | 1120 | SEQUIOIA INSIGHT | 1120 | 1120 |
| | | SEQUIOIA EDGE | 0 | 0 |
| WEST ALLIS | 757 | OPTECH EAGLE | 756 | 756 1 ballot was lost between election night and the voting equipment audit. |
| WEST ALLIS | 1069 | OPTECH EAGLE | 1069 | 1069 |
| WEST ALLIS | 799 | OPTECH EAGLE | 799 | 799 |
| WEST ALLIS | 816 | OPTECH EAGLE | 816 | 816 |
| WHITEWATER | 332 | ES&S DS200 | 332 | 332 |
| | | AccuVote-TSX | 0 | 0 |
| ALVIN | 82 | SEQUIOIA EDGE | 40 | 40 |
| ANDERSON | 41 | SEQUIOIA EDGE | 30 | 30 |
| BEAVER | 241 | ES&S M100 | 192 | 192 |
| | | ES&S IVotronic | 49 | 49 |
| BROOKLYN | 1021 | OPTECH EAGLE | 371 | 371 |
| | | SEQUIOIA EDGE | 637 | 637 |
| BURLINGTON | 342 | OPTECH EAGLE | 342 | 342 |
| | | SEQUIOIA EDGE | 0 | 0 |
| CAMPBELL | 1978 | ES&S DS200 | 1978 | 1978 |
| CLYMAN | 390 | AccuVote-OS | 389 | 390 1 additional ballot was thought to have been counted by machine, but wasn't. |
| | | AccuVote-TSX | 0 | 0 |
| CRESCENT | 1072 | OPTECH EAGLE | 1072 | 1072 |
| | | SEQUIOIA EDGE | 0 | 0 |
| DAY | 479 | ES&S M100 | 479 | 479 |
| DEKORRA | 1198 | ES&S M100 | 1201 | 1198 |
| FAIRBANKS | 259 | SEQUIOIA EDGE | 103 | 103 |
| FERN | 97 | Populex | 79 | 79 |
| FOSTER | 59 | ES&S IVotronic | 59 | 59 |
| FOX LAKE | 600 | AccuVote-OS | 595 | 595 |
| | | AccuVote-TSX | 5 | 5 |
| GARDEN VALLEY | 204 | SEQUIOIA EDGE | 164 | 164 |
| GERMANTOWN | 208 | SEQUIOIA EDGE | 208 | 208 |
| GRANT | 196 | OPTECH EAGLE | 169 | 169 |
| | | SEQUIOIA EDGE | 0 | 0 |
| GULL LAKE | 104 | Populex | 99 | 99 |
| HARRISON (WAUPACA) | 223 | SEQUIOIA EDGE | 161 | 161 |
| HARRISON (LINCOLN) | 461 | ES&S DS200 | 461 | 461 |
| HARTFORD | 1994 | AccuVote-OS | 1994 | 1993 1 ballot was double counted because of multiple jams. |
| | | AccuVote-TSX | 1 | 1 |
| HAY RIVER | 222 | OPTECH EAGLE | 96 | 96 |
| | | SEQUIOIA EDGE | 126 | 126 |
| HERMAN | 338 | SEQUIOIA INSIGHT | 193 | 193 |
| | | SEQUIOIA EDGE | 145 | 145 |
| HOLWAY | 195 | ES&S IVotronic | 188 | 188 |
| HUBBARD | 85 | SEQUIOIA EDGE | 83 | 83 |
| LEBANON | 812 | AccuVote-OS | 671 | 671 |
| | | AccuVote-TSX | 141 | 141 |
| LEROI | 480 | AccuVote-OS | 479 | 479 |
| | | AccuVote-TSX | 1 | 1 |
| LIMA | 1583 | SEQUIOIA INSIGHT | 1396 | 1396 |
| | | SEQUIOIA EDGE | 187 | 187 |
| LINCOLN | 1308 | AccuVote-OS | 1307 | 1307 |
| | | AccuVote-TSX | 0 | 0 |
| LOMIRA | 574 | AccuVote-OS | 572 | 572 |
| | | AccuVote-TSX | 2 | 2 |
| MANCHESTER | 297 | SEQUIOIA EDGE | 297 | 297 |
| MELROSE | 187 | SEQUIOIA EDGE | 169 | 169 |

2014 Voting Equipment Audit (supplement)

| | | | | |
|------------------|------|-----------------|------|---|
| MENASHA | 2168 | AccuVote-OS | 1952 | 1952 |
| | | AccuVote-TSX | 216 | 216 |
| MILLSTON | 90 | SEQUIOA EDGE | 81 | 81 |
| NORRIE | 432 | ES&S M100 | 432 | 432 |
| PRAIRIE DU CHIEN | 379 | SEQUIOA EDGE | 232 | 232 |
| RIPON | 713 | OPTTECH EAGLE | 704 | 704 |
| | | SEQUIOA EDGE | 9 | 9 |
| SAUKVILLE | 1086 | AccuVote-OS | 1086 | 1086 |
| | | AccuVote-TSX | 0 | 0 |
| SCHLEY | 379 | ES&S DS200 | 379 | 379 |
| SEVASTOPO | 1672 | AccuVote-OS | 1661 | 1661 |
| | | AccuVote-TSX | 11 | 11 |
| SMELSER | 343 | SEQUIOA EDGE | 306 | 306 |
| SPENCER | 615 | ES&S M100 | 615 | 615 |
| SUMMIT | 86 | SEQUIOA EDGE | 37 | 37 |
| WELLS | 218 | SEQUIOA EDGE | 170 | 170 |
| WHITESTOWN | 189 | SEQUIOA EDGE | 112 | 112 |
| WILLARD | 187 | SEQUIOA EDGE | 167 | 167 |
| WILTON | 190 | SEQUIOA EDGE | 160 | 160 |
| WINGSVILLE | 144 | SEQUIOA EDGE | 131 | 131 |
| ADELL | 235 | SEQUIOA INSIGHT | 131 | 131 |
| | | SEQUIOA EDGE | 104 | 104 |
| BELLEVUE | 3307 | ES&S DS200 | 3308 | 3307 |
| | | SEQUIOA INSIGHT | 804 | 804 |
| CEDAR GROVE | 1037 | SEQUIOA EDGE | 233 | 233 |
| | | SEQUIOA INSIGHT | 2072 | 2072 |
| HARTLAND | 2124 | SEQUIOA EDGE | 0 | 0 |
| | | AccuVote-OS | 1882 | 1881 |
| KEWASKUM | 1883 | AccuVote-TSX | 2 | 2 |
| MENOMINEE FALLS | 983 | OPTTECH EAGLE | 983 | 983 |
| MENOMINEE FALLS | 427 | OPTTECH EAGLE | 427 | 427 |
| POTOSI | 259 | SEQUIOA EDGE | 175 | 175 |
| ROTHSCHILD | 898 | ES&S M100 | 898 | 898 |
| SLINGER | 2433 | AccuVote-OS | 2433 | 2433 |
| | | AccuVote-TSX | 0 | 0 |
| | | | | There was a draw down ballot not counted because a voter got two ballots and cast both, but the one with no initials was taken out. |

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KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the March 4-5, 2015 Board Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy, Director and General Counsel

SUBJECT: Status Report on Compliance with LAB Audit Recommendations

Board Members directed staff to prepare a report providing information on the status of agency progress related to recommendations set out in the recently released Legislative Audit Bureau (LAB) Audit Report. For the January meeting, staff presented information about the recommendations and their status in a spreadsheet format. While Board members indicated it was helpful to have all the recommendations in one brief document, the format does not allow for a more detailed discussion of each recommendation.

This report includes a more thorough explanation of the work that has been completed to implement each of the recommendations to date. In some instances, staff has outlined either legislative or administrative obstacles or concerns which the Board should consider in determining whether the recommendation should be implemented or modified. Following the summary regarding each item, a recommended motion is outlined so that the Board has an opportunity to determine the direction it wishes to provide staff as a result of the LAB audit report.

| | | |
|------------------------------------|--|--|
| Recommendation 1 Page 22 | Promulgate administrative rules that prescribe the contents of training that municipal clerks must provide to election inspectors and special voting deputies. | Scope statement approved by Board 1/13/14 and sent to Governor |
| Recommendation 2 Page 22 | Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of its efforts to implement this recommendation. | Will submit report. |

Update and Recommendations

This effort will gain more focus with the hiring of a new staff counsel. The Director and current staff counsel have been focused on litigation issues as well as overseeing the overall response to the audit.

| | | |
|--|---|--|
| <p>Recommendation 3 Page 26</p> | <p>Regularly monitor Statewide Voter Registration System records to identify and then contact clerks who have not mailed letters to registrants whose personally identifiable information did not match information held by other agencies.</p> | <p>Report prepared for the March Board Meeting</p> |
| <p>Recommendation 4 Page 26</p> | <p>Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of their efforts to implement this recommendation.</p> | <p>Will submit report</p> |

Update and Recommendations

When an individual registers to vote, the new voter record in SVRS is compared to information in the Division of Motor Vehicles database to determine whether the individual’s name and date of birth match in the two databases, a process known as a HAVA check. HAVA checks are an ongoing process following new and updated registrations. Although a voter’s eligibility is not affected when the SVRS and DMV records do not match exactly, the G.A.B. instructs clerks to follow up with voters to determine the reason for the non-match or to correct any errors in the two databases. HAVA checks are one method of maintaining the accuracy and currency of voter registration data in SVRS, which greatly improves effectiveness of subsequent SVRS tasks, including additional matching functions.

The LAB recommendation speculates that clerks are not currently maintaining records of their contacts with voters resulting from HAVA check non-matches. Staff anticipates some complications with implementing the recommendation as written. First, as LAB noted, not all clerks use SVRS to generate letters to notify new registrants following a HAVA check non-match. The G.A.B. recommends sending a letter to the voter but State law does not require that specific step. All clerks would have to use SVRS to generate letters to registrants whose personally identifiable information did not match, or have the ability to note in SVRS that a different letter was sent to such voters in order to monitor this activity. Many clerks like the ability to customize their own mailings on their own letterhead, or by simply following up with the voter via phone or in-person.

Second, the G.A.B. would need to dedicate staff and resources to make any necessary IT configuration changes in SVRS to track contact with the voter, and also to regularly monitor this clerk activity. SVRS could be modified to produce a report for clerks who generate a non-SVRS letter which would identify the number of HAVA non-matches and the number of letters that clerks have issued to those voters. This would undoubtedly lead to data inconsistencies as experience with related data quality checks (mapping, election and registration statistics, etc.) demonstrates that clerks do not always properly complete documentation in SVRS after a task has been completed. This would necessitate investing significant staff time to follow up with clerks and confirm that they have mailed letters to registrants.

In addition, relier clerks and provider clerks would have to reach an internal agreement on tracking and documenting when letters are sent to voters with HAVA non-matches. While G.A.B. is not certain whether this added requirement would create a significant burden for provider clerks or a strain on established relationships between provider and relier clerks, provider clerks have been very hesitant to take on additional tasks on behalf of reliers in the past, especially when they are not specifically required in the Statutes. For example, when G.A.B. staff raised the prospect of requiring all absentee ballots to

be tracked in SVRS, provider clerks indicated that should this become a requirement without being required by Statutes, they would stop providing SVRS services to relier clerks.

For these reasons, in its response to the LAB audit, Board staff recommended that the agency would develop a procedure for directing local officials to document their actions to correct non-matched information, be it in SVRS or elsewhere. This approach would focus on training and education rather than monitoring compliance, which would require significantly more resources. The LAB or G.A.B. could then audit clerks' compliance with the process to determine whether any more structured monitoring is necessary and feasible. If the Board is inclined to adopt the LAB recommendation as written, staff recommends first solicensing feedback from clerks regarding the potential impact on their operations and workload.

Recommended Motion:

The Board directs staff to develop a procedure for instructing local officials to document their actions to correct non-matched information, be it in SVRS or elsewhere. The Board does not require staff to modify SVRS in order to track and monitor whether clerks have mailed letters to registrants with a HAVA check non-match.

| | | |
|------------------------------------|--|-------------|
| Recommendation 5 Page 29 | Review the records of the deceased individuals LAB identified and determine whether any of these individuals' votes were inappropriately cast in FY 2012-13 elections. | In progress |
|------------------------------------|--|-------------|

Update and Recommendations

Board staff has been reviewing the records of 88 deceased individuals that were identified by LAB as having a vote recorded and which were provided to the G.A.B. after the audit report was released. The following chart provides a breakdown of the number of individuals per election:

| Election | # of Individuals |
|----------------|------------------|
| June, 2012 | 11 |
| August, 2012 | 16 |
| November, 2012 | 46 |
| February, 2013 | 6 |
| April, 2013 | 9 |

The recommendation implies that staff can determine whether a deceased individual voted based solely on SVRS data, which is not the case. As with any matching process in SVRS, local clerks would need to check original election materials and complete further investigation to determine whether a vote was cast in the name of a deceased individual. However, staff reviewed the matches provided by the LAB to gather preliminary information on the likelihood that something inappropriate may have occurred related to those records.

First, staff reviewed DMV records in an effort to confirm whether the voter record and the death record related to the same person, and determined the following:

1. Sixty-three of the identified voters also appeared as deceased individuals in DMV’s database and were therefore likely matched correctly to death records.
2. Nine voters could not be verified with DMV but the voter address or last four digits of the Social Security Number matched between the death record and the voter record which lends validity to the match.
3. Sixteen voters’ records could not be verified with DMV records, and the death record did not include an address for the individual, so that G.A.B. staff does not have sufficient information to determine whether the voter record and the death record were appropriately matched.
4. One voter’s information was found in DMV records but was not marked as deceased. The death record did not contain an address that could be matched with the voter. Both the death record and the DMV record listed the individual’s municipality as the Village of Wales. G.A.B. staff does not have sufficient information to determine whether the voter record and the death record are related to the same person and DMV is not aware that the individual is deceased, or whether the voter record and the death record are not related to the same person.

Second, staff reviewed LAB's analysis of the relevant dates (date of death, date ballot sent, date of the election) to help determine whether the ballot was possibly completed and mailed by the voter before the voter died.

1. Four voters were deceased before their ballot was even issued to them by the clerk, but the ballot was subsequently returned and a vote was recorded for that individual. In these cases, it is unlikely that the individual voted the ballot prior to dying unless the clerk incorrectly marked the date the ballot was sent in SVRS.
2. Twenty-nine voters died after their ballot was issued but before the ballot was marked as returned by the clerk in SVRS. These voters could have marked and mailed the ballot prior to dying, particularly if the voter died in close proximity to when the ballot was marked returned by the clerk.
 - a. 22 died less than a week before their ballot was received by the clerk.
 - b. Three died within two weeks of the clerk receiving their ballot (but more than 1 week before).
 - c. Four died more than two weeks before the clerk received their ballot, but less than a month before.
3. Seven voters appeared to have data entry errors in SVRS that prevent staff from performing further analysis. Six voters died after their ballot was issued, and SVRS indicates that the ballot was not returned. However, votes were recorded in SVRS for these voters in the election, with an indication that the vote was cast absentee. One voter was marked in SVRS as having returned their ballot before dying, but the ballot return date is earlier than the date the ballot was sent, so one of the dates is clearly incorrect. Staff would need more information to investigate these records.
4. Forty-eight voters died prior to the election, but their municipal clerks did not track absentee information in SVRS so that the LAB and G.A.B. staff was unable to compare the date of death with the dates ballots were sent or returned. For these records, G.A.B. staff compared the date of death to the election date to help determine the likelihood that the voter could have marked and mailed the ballot themselves prior to dying.
 - a. 27 died within one week of the election.
 - b. 17 died within a month of the election (but more than a week)
 - c. four died more than a month before the election (with one voter dying 76 days before the election).

Any further investigation of these records will need to be done by local clerks who have access to the actual physical election materials. Based upon the alleged date of requesting an absentee ballot and subsequently voting, some clerks have likely already destroyed records for those elections, which is allowed by state statute. At a minimum, because these were all absentee voters, the absentee certificate envelope would be required to provide a comprehensive investigation. It may also be necessary for clerks to check the absentee ballot log, poll book and voter registration files, which may also be destroyed within the allowable statutory limits. If the Board wishes to direct staff to implement this recommendation and require further investigation by local election officials, the Board should be aware of the obstacles to sufficiently investigating records of these elections.

Recommended Motion:

The Board accepts the staff's review and analysis of the records of 88 deceased voters identified by the LAB, and directs staff to proceed as follows:

- 1) Staff is directed to not conduct further investigation into those records.

OR

- 2) The Board directs staff to reach out to the municipal clerks for the 88 records identified by LAB, as staff cannot determine whether any of these individuals' votes were inappropriately cast in the FY 2012-2013 elections, and determine whether records exist from past elections to assist in making conclusive determinations.

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| <p>Recommendation 6 Page 29</p> | <p>Review Statewide Voter Registration System records after each election in order to identify and investigate instances in which votes were cast in the names of individuals who died before Election Day.</p> | <p>Report prepared for the March Board Meeting</p> |
| <p>Recommendation 7 Page 29</p> | <p>Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of their efforts to implement these recommendations (5 and 6).</p> | <p>Will submit report</p> |

Update and Recommendations

The LAB suggests the Legislature consider requiring G.A.B. to determine after each election whether any votes were cast by individuals who died before Election Day. The agency believes the Legislature should carefully consider this recommendation before adopting it. There are significant administrative and personnel costs for the G.A.B. and local election officials to implement this process. Similar to the post-election felon audit, an IT application would be necessary to facilitate data comparison and communication between the appropriate entities, including the G.A.B., State Vital Records, and local election officials.

It is essential the Legislature is fully apprised of the costs of conducting post-election death audits, similar to the post-election felon audits currently completed by the G.A.B., and the agency can work with the Legislature to analyze these costs. Staff currently does not have specific authority to conduct such verification processes, and it is recommended that, similar to the post-election felon audit process, this recommendation should be implemented only as a legislative mandate.

Recommended Motion:

The Board directs staff to explore with the Legislature and local election officials the feasibility of implementing a post-election death record audit, including the anticipated personnel, administrative and IT costs and resources required.

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| <p>Recommendation 8 Page 32</p> | <p>Regularly monitor Statewide Voter Registration System records to contact clerks who have not mailed letters to individuals whose voter registration records have been inactivated because of ongoing felony sentences.</p> | <p>Preparing report for the March Board Meeting</p> |
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Update and Recommendations

The LAB recommendation speculates that clerks are not currently maintaining records of mailings to voters that have ongoing felony sentences.

As with Recommendation 3 related to HAVA check follow-up, staff anticipates some complications with implementing this recommendation as written because it would require a new task for clerks as well as significant additional G.A.B. staff resources. First, as LAB noted, not all clerks use SVRS to generate letters to notify registered voters that their registration has been inactivated because of a felony sentence. Many clerks like the ability to customize their own letters rather than use the template letter provided in SVRS. All clerks would need to use SVRS to track their mailings, which has never been mandated upon clerks.

Second, the G.A.B. would need to dedicate staff and resources to make any necessary IT configuration changes in SVRS to track contact with the voter, and also to regularly monitor this clerk activity. SVRS could be modified to produce a report that would identify the number of voters inactivated due to felony conviction and the number of letters that have been sent by clerks. This would undoubtedly lead to data inconsistencies as experience with related data quality checks (mapping, election and registration statistics, etc.) demonstrates that clerks do not always properly complete documentation in SVRS after a task has been completed. This would necessitate investing significant staff time to follow up with clerks and confirm that they have mailed letters to registrants.

In addition, relier clerks and provider clerks would have to reach an internal agreement on tracking and documenting when letters are sent to voters whose registrations have been inactivated due to felony sentences. While G.A.B. is not certain whether this added requirement would create a significant burden for provider clerks or a strain on established relationships between provider and relier clerks, provider clerks have been very hesitant to take on additional tasks on behalf of reliers in the past, especially when they are not specifically required in the Statutes. For example, when G.A.B. staff raised the prospect of requiring all absentee ballots to be tracked in SVRS, provider clerks indicated that should this become a requirement without being required by Statutes, they would stop providing SVRS services to relier clerks.

For these reasons, in its response to the LAB audit, Board staff recommended that the agency would develop a procedure for directing local officials to document their actions to resolve felon voting record matches, be it in SVRS or elsewhere. This approach would focus on training and education rather than monitoring compliance, which would require significantly more resources. The LAB or G.A.B. could then audit clerks' compliance with the process to determine whether any more structured monitoring is necessary and feasible. If the Board is inclined to adopt the LAB recommendation as written, staff recommends first soliciting feedback from clerks regarding the potential impact on their operations and workload.

Recommended Motion:

The Board directs staff to develop a procedure for instructing local officials to document their actions to resolve felon voting record matches, be it in SVRS or elsewhere. The Board does not require staff to modify SVRS so that it may routinely monitor through SVRS whether clerks have mailed letters to voters inactivated due to felony convictions.

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| <p>Recommendation 9 Page 32</p> | <p>Review information for the individuals LAB identified whose voter registration records may have been erroneously inactivated and ensure that the relevant clerks have notified the individuals.</p> | <p>In progress</p> |
| <p>Recommendation 10 Page 32</p> | <p>Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of their efforts to implement these recommendations (8 and 9).</p> | <p>Will submit report</p> |

Update and Recommendations

LAB referred six cases to the G.A.B. staff for further review. Staff has reviewed those records to determine if the voters were in fact erroneously inactivated, and if further investigation should be done with the local clerk.

- Four of the six matches appear to be erroneous because the first name did not match (last name, DOB and middle initial did match). However, not all of the 4 require additional follow-up:
 - Two of the four voters were already inactive at the time the match was made. Clerks are not required to mail felon notification letters to voters whose registrations are already inactive.
 - One of the four has subsequently been reactivated so no further action is required
 - One of the four requires follow up with the local clerk because the registration was inactivated due to an erroneous match and it is unknown if the clerk sent a felon notification letter.

- One of the six matches was inconclusive as to whether or not the match was correct. The voter record and the felon record contained the same name and date of birth, however the felon address was in Barron and the voter address was in Madison. This match requires follow up with the local clerk to determine if the match was made correctly and if the voter was sent a felon notification letter.

- One of the six matches appears to have been made correctly. The name, date of birth, and address of the felon record all match the voter record. The voter record has a suffix of “senior” and one of the aliases used by the felon has a suffix of “junior,” however the date of birth matches the voter that was inactivated and staff is confident that the correct individual’s voter record was inactivated.

Recommended Motion:

The Board directs staff to communicate with the local clerks regarding the two voter records that require further investigation, to determine if the matches were indeed correct, and whether the voters were notified that their registrations were made inactive.

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| Recommendation 11 Page 33 | Complete in a timely manner the statutorily required reviews to identify individuals with ongoing felony sentences who may have voted. | Completed |
|-------------------------------------|--|-----------|

Update and Recommendations

The agency has completed all post-election felon audits. This includes all of the post-election felon audits which were completed by August 2014 before the audit report was issued, as well as the audits for the August 14, 2014 Partisan Primary and November 4, 2014 General Election. Board staff has also closed all outstanding cases either by resolving the data matches or referring cases to District Attorneys for all elections except for the 2014 General Election. We continue to receive updates from District Attorneys on the progress of each referral. The technological innovations developed by agency staff enabled the agency to timely complete the post-election felon audit for all elections, immediately after the data entry was completed by local election officials. The audit for the 2014 General Election was conducted approximately 90 days after the election and prior to the 2015 Spring Elections, which is a dramatic improvement over the prior process both in timeliness and in accuracy.

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| Recommendation 12 Page 33 | Report to the Government Accountability Board on any actions taken by district attorneys against the 33 individuals who may have voted while serving felony sentences. | Preparing report for the March Board Meeting |
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Update and Recommendations

Staff has provided to the Board in Election Division Updates periodic reports regarding actions taken by District Attorneys against individuals who may have voted while serving felony sentences, including the 33 cases to which audit report refers. The following table provides an update, omitting the individuals' names which are confidential at this point, for all elections from February 2010 to November 2014:

| ELECTION | Number voters matched with felons per Election | Number of matches/cases closed | Number of matches/cases remaining open or under investigation | Number of matches referred to district attorneys | Number of referrals closed by DA without charges | Number of referrals with charges filed | Number of referrals resulting in a conviction |
|--|--|--------------------------------|---|--|--|--|---|
| 11/4/2014 General Election | 229 | 169 | 60 | 0 | 0 | 0 | 0 |
| 8/12/2014 Fall Partisan Primary | 10 | 9 | 1 | 1 | 0 | 0 | 0 |
| 4/1/2014 Spring Election | 8 | 6 | 2 | 5 | 2 | 1 | 1 |
| 2/18/2014 Spring Primary | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 4/2/2013 Spring Election | 8 | 8 | 0 | 2 | 1 | 1 | 0 |
| 2/19/2013 Spring Primary | 1 | 1 | 0 | 0 | 0 | 0 | 0 |
| 11/6/2012 Presidential and General Election | 89 | 66 | 23 | 33 | 8 | 0 | 2 |
| 8/14/2012 Fall Partisan Primary | 3 | 1 | 2 | 2 | 0 | 0 | 0 |
| 6/5/2012 Recall Election | 53 | 32 | 21 | 22 | 0 | 1 | 1 |
| 5/8/2012 Recall Primary Election | 13 | 11 | 2 | 3 | 1 | 0 | 0 |
| 4/3/2012 Presidential Preference Spring Election | 13 | 8 | 5 | 7 | 2 | 0 | 0 |

| ELECTION | Number voters matched with felons per Election | Number of matches/cases closed | Number of matches/cases remaining open or under investigation | Number of matches referred to district attorneys | Number of referrals closed by DA without charges | Number of referrals with charges filed | Number of referrals resulting in a conviction |
|-----------------------------------|--|--------------------------------|---|--|--|--|---|
| 2/21/2012 Spring Primary | 3 | 2 | 1 | 2 | 1 | 0 | 0 |
| 4/5/2011 Spring Election | 16 | 9 | 7 | 7 | 0 | 0 | 0 |
| 2/15/2011 Spring Primary | 5 | 3 | 2 | 2 | 0 | 0 | 0 |
| 11/2/2010 General Election | 60 | 40 | 20 | 21 | 1 | 1 | 1 |
| 9/14/2010 Fall Partisan Primary | 8 | 5 | 3 | 3 | 0 | 0 | 0 |
| 4/6/2010 Spring Election | 5 | 4 | 1 | 2 | 1 | 0 | 0 |
| 2/16/2010 Spring Primary | 1 | 1 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | |
| Total for all 18 elections | 525 | 375 | 150 | 112 | 17 | 4 | 5 |

Board staff could provide more detailed information regarding specific cases to the Board in closed session, should the Board so desire. The Board may determine what information it wishes to receive and how often.

Recommended Motion:

The Board directs staff to provide semi-annual reports regarding actions taken by District Attorneys regarding referrals resulting from the post-felon audit process.

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| <p>Recommendation 13 Page 33</p> | <p>Work with the Department of Corrections to improve the accuracy of information regarding individuals serving felony sentences, including by ensuring that individuals convicted of misdemeanors are not erroneously included in the information that is electronically provided to the Statewide Voter Registration System.</p> | <p>Completed</p> |
| <p>Recommendation 14 Page 33</p> | <p>Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of their efforts to implement these recommendations (11, 12 and 13).</p> | <p>Will submit report</p> |

Update and Recommendations

The agency is complying with this recommendation through its ongoing work with Department of Corrections to improve data quality issues. This was a key element of concern leading to the development of the new felon audit dashboard in SVRS. The agency’s work with the DOC has improved the accuracy of information regarding individuals serving felony sentences provided to SVRS and created significant cost efficiencies for both agencies. The DOC’s new offender tracking system implemented in January 2015 has improved data quality, better preventing individuals convicted of misdemeanors from being erroneously included in the information DOC provides to SVRS.

In addition to the technological improvements, G.A.B and DOC staff continually work together to identify and rectify the accuracy of information regarding individuals serving felony sentences. This includes changes to the manual data entry processes at DOC. For example, after G.A.B. identified an individual who was convicted of an attempted misdemeanor and erroneously included on the list provided from DOC as a convicted felon, DOC implemented a process of highlighting the attempt notation on the Judgment of Conviction in order to prevent data entry errors in the future. This notation process will help reduce the likelihood that an individual will be entered as being convicted of a related felony rather than the misdemeanor attempt charge. G.A.B. staff will continue to work with DOC staff to identify data entry errors and establish procedures to reduce data entry errors.

Recommended Motion:

The Board directs staff to continue to work with DOC in an effort to improve data quality sharing processes.

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| Recommendation 15 Page 34 | Promulgate administrative rules that specify the responsibilities of clerks for maintaining voter registration records in the Statewide Voter Registration System. | Need approved scope statement. |
| Recommendation 16 Page 34 | Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of its efforts to implement this recommendation. | Will submit report |

Update and Recommendations

This effort will gain more focus with the hiring of a new staff counsel. The Director and current staff counsel have been focused on litigation issues as well as overseeing the overall response to the audit.

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| <p>Recommendation 17 Page 49</p> | <p>Present to the Government Accountability Board for its approval written procedures specifying penalty amounts to assess on campaign finance entities that do not pay their annual filing fees by January 31.</p> | <p>Preparing report for the March Board Meeting</p> |
| <p>Recommendation 18 Page 49</p> | <p>Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of their efforts to implement this recommendation.</p> | <p>Will submit report</p> |

Update and Recommendations

The Ethics and Accountability Division staff has prepared a revised schedule of campaign finance penalties for discussion at the March 2015 meeting of the Board. The schedule approved in 2008 was used as a basis. Some penalty amounts and deadlines were adjusted with a goal of improving fairness, uniformity and administrative efficiency.

The proposed campaign finance settlement offer schedule follows this section of the report. It includes annotations on any differences with the 2008 settlement offer schedule

Recommended Motion:

The Board approves the following schedule for treatment of campaign finance violations as revised, and directs staff to follow these procedures on an interim basis pending the promulgation of an administrative rule.

MEMORANDUM

DATE: For the March 4-5, 2015 Board meeting

TO: Members, Government Accountability Board

FROM: Jonathan Becker, Division Administrator
Ethics and Accountability Division

Prepared by:
Adam Harvell, Campaign Finance Auditor

SUBJECT: Schedule and Procedures for Implementing Settlement Offers for
Campaign Finance Violations

This document sets out updated procedures for implementing settlement offers for campaign finance violations and sets forth a schedule of recommended settlement amounts in specific situations. The Board's authority for initiating settlement offers is set out in Wis. Stats §5.05(1)(c). The Board may specify penalties for certain offenses and may compromise and settle those matters without formal investigation per Wis. Stat. § 5.05(2m) 12. Where intentional violations are identified by the Board, a recommendation for criminal prosecution may also be made in addition to the civil settlement offer.

The primary interest of the Board is providing timely and accurate campaign finance information to the public, and collection of civil penalties is secondary to that goal. Board staff will consider mitigating or exacerbating circumstances like the number of previous offenses, the amount of money involved, and the sophistication of parties involved.

This schedule is created pending promulgation of administrative rules under § 5.05(1)(f).

(Notes in italics below show how each section has changed from the 2008 schedule. Schedule-wide changes include correction of errors, updating references to the Elections Board, and removal of unconstitutional or obsolete provisions, including the \$10,000 aggregate campaign finance contribution limit, the 45%/65% aggregate committee contribution limits, and the sections discussing the Wisconsin Election Campaign Fund grants.)

1. Registration Violations, §11.05, Wis. Stats.

a. Failure to timely register or amend registration statement

If a registration statement is not filed, is filed late or is amended after the 10-day statutory requirement, the matter shall be referred to the Board with a recommended settlement offer to be determined on a case-by-case basis.

(The 2008 schedule called for staff to treat these violations as non-flagrant unless registrants failed to respond to notification from staff within 15 days, then imposed penalties ranging from \$25 to \$100. These violations are rare and circumstances vary widely, making Board involvement desirable.)

2. Late Filing of Financial Reports, §11.20(3), (4), (8), §11.38(1)(a) 2., §11.06(11) Wis. Stats.

a. Continuing reports

If a registrant fails to file a continuing report within 30 days of the filing deadline after receiving two written notices from staff, the Board shall make a minimum settlement offer of \$50 for the first offense, plus \$50 for the first month of delinquency, or part thereof, and \$100 for each additional month of delinquency, or part thereof. The minimum amount shall be increased by multiples of \$50 for subsequent offenses. Non-incumbent candidates who fail to file the continuing report will be placed on administrative suspension by the staff and will be sent a notice of accumulating penalty. Where no reports are filed a civil action shall be commenced unless the registrant is eligible for administrative suspension.

(The 2008 schedule imposed penalties after 45 days – that has been changed to 30. Previously, there was a penalty of \$25 for each additional month of delinquency – that has been changed to \$100.

The 2008 schedule treated continuing reports for registrants involved in the election as election related reports. However, since continuing reports are due at least 2 ½ months after the regular election is over, harsh and immediate penalties seem out of place. Treating all filers alike avoids administrative difficulties in identifying committees and applying two separate sets of penalties.)

b. Election-related reports

The pre-primary, pre-election, and special post-election reports are designated election-related reports. If a registrant fails to file any of these reports by the filing deadline, the Board may make a minimum settlement offer of \$100 plus \$50 for each additional day of delinquency. Staff may use discretion to waive or reduce penalties based on a number of factors, including:

- Whether a registrant is a candidate committee or non-candidate committee
- A candidate's ballot status
- The level of financial activity
- The number of previous offenses.

(The 2008 schedule imposed penalties after 3 days – that has been changed to 0. Penalties were \$50 for the first offense, plus \$50 for the first month of delinquency, plus \$25 per each additional month of delinquency. The proposed schedule adds language

to focus on active candidates on the ballot. It allows waiver of penalties for some other registrants.)

c. Electronic filing of reports, §11.21(16), Wis. Stats.

Registrants required to file an electronic report under this section who file no report or file only a paper report shall be subject to the penalties listed above.

(The 2008 schedule instructed staff to separately track filings for the electronic and paper copies of each report. Penalties varied if neither copy of the report was filed timely, or if only one copy of the report was filed on time. Statutory changes effective March 2014 remove the requirement to file a paper report if a registrant files an electronic report with an electronic signature. Separate tracking requirements and penalties have been removed.)

d. Special reports of late contributions, §11.12 (5) and (6), Wis. Stats.

If a committee fails to file a special report of late activity in a timely manner for five or more transactions totaling 5 percent or more of all late transactions reported during any election cycle, staff will propose a settlement of 5 percent of the total late contributions that were not properly reported.

(The previous text read “The failure to file a special report of late contribution in a timely manner will result in referral to the Board with a recommendation for a settlement offer to be determined on a case by case basis.” Beginning in 2014, staff began to conduct regular audits of late reporting. A standard schedule like the one proposed would save the Board from routine questions. The proposed thresholds concentrate enforcement on larger committees with significant violations.)

3. Late Payment of Filing Fees, §11.055, Wis. Stats.

a. Failure to pay annual filing fee

If a non-candidate committee with more than \$2,500 in expenses in the previous calendar year fails to pay a \$100 filing fee within 15 days of the January 31 deadline after receiving two written notices from staff, the Board shall make a minimum settlement offer of \$300. This amount shall be increased to \$500 if payment is not received within one month of the settlement offer and may increase to a maximum of \$800, per Wis. Stat. §11.60(3m).

(The 2008 schedule did not include settlement amounts for late filers, although the Elections Board had approved the \$300 amount in past meetings. This documents current practice.)

4. Disclosure Violations, §11.06, Wis. Stats.

a. Failure to report contributor information

When a registrant fails to disclose required contributor information such as address, occupation, or name and address of principal place of employment, Board staff shall request the information from the registrant and make a record of the request. If a registrant does not respond to a staff request for the required information within 30 days, the Board will initiate enforcement action.

- If a registrant fails to provide the required information for 10 or more contributions that constitute 10 percent or more of the total number of contributions where information is required, the Board shall extend a settlement offer of \$100 plus 10 percent of the incompletely documented contributions.

Staff will have discretion to extend the 30 day deadline based on a registrant's level of activity, number of violations, and partial communication of the required information.

(Statute §11.06(5) requires a committee to “make a good faith effort to acquire all required information.” By establishing a 10 percent threshold, the Board accepts that provision of employer information for over 90 percent of contributions of over \$100 presents prima facie evidence of a “good faith effort.” The 2008 schedule required enforcement for every single violation if the contribution was \$250 or more. This provision was incompatible with the statute and has been removed.

Previous language read “failed to provide required information for 5 percent or more of the total number of contributions.” The “5 percent or more of the total number of contributions” was inexact. For example, a committee with 1001 total contributions and 50 contributions over \$100 that provided employer information on 0 of those 50 contributions would fall under the 5 percent threshold. The new standard would require that committee to provide employer information on at least 40 of the 50 contributions over \$100, ignoring the total number of contributions. The threshold of 10 or more contributions eliminates enforcement for small committees with only a few applicable contributions.)

b. Failure to report expenditure information

Board staff shall refer violations involving failure to provide expenditure information to the Board with the settlement amount to be determined on a case-by-case basis. Factors for consideration include:

- Whether partial information was provided
- The registrant's level of activity
- Whether the expense purpose was provided, and accurate
- The number of violations, past and present

(The 2008 schedule imposed a penalty of \$100 plus 10 percent of the transactions, and only imposed penalties for amounts over \$100, or failure to report 5 percent or more of transactions. Failure to report a transaction is also penalized under Part D, Incomplete Reports, and most violations will be handled under that section. Flagrant failure to report expense purposes is rare and complex enough for input from the Board to be desirable.

c. Failure to report a contribution or expenditure

Board staff shall refer these violations to the Board with the settlement amount to be determined on a case-by-case basis.

(Failure to report a transaction is also penalized under Part D, Incomplete Reports, and most violations will be handled under that section. In rare cases, like failure to report with no cash balance discrepancy, staff will refer the situation to the Board.)

d. Incomplete reports – cash balance discrepancies

When a registrant submits a campaign finance report that presents a beginning cash balance in the Cash Summary portion of the report, which differs \$100 or more from the ending cash balance on the prior campaign finance report, the report will be considered incomplete and inaccurate within the meaning of §11.06(5) Wis. Stats., and may be considered a false report under §11.27(1) Wis. Stats., unless the registrant amends the report to correct math errors or include missing transactions. The same standard applies if a report is submitted and the beginning cash balance, plus all receipts, minus all expenditures does not equal the reported ending cash balance.

The registrant who filed the report will be contacted and informed that the report is inaccurate and given 30 business days to file a corrected finance report. Staff will have discretion to extend the 30 day deadline based on a registrant's level of activity, number of violations, and partial communication of the required information.

If a registrant fails to comply, the Board shall extend a settlement offer of \$100 plus 10 percent of the cash balance discrepancy.

When a registrant is terminated, the cash balance audit will focus on discrepancies that are less than 3 years old.

(The proposed schedule adds the requirement that beginning cash balance plus receipts, minus expenses, must equal the ending cash balance. Previously, a cash balance discrepancy was one that differed "to any extent." The \$100 threshold allows staff to focus on significant reporting issues. The time to make corrections has been changed from 10 days to 30. Penalties will be assessed only if the registrant fails to correct the issue.

The sentence about terminated registrants reflects statute §11.12(3), requiring registrants to retain records for three years after participating in an election. Staff would not pursue older discrepancies.)

5. Contribution Violations, §11.26, Wis. Stats.

- a. Exceeding contribution limits during a campaign period - §11.26(1), §11.26(2), §11.26(8)(a), §11.26(8)(b).

There shall be no penalty for excess contributions returned within 15 days as required by Wis. Stat. §11.06(4)(b).

Staff shall inform any registrant receiving contributions in excess of individual limits for that office that if they pay the amount of the illegal contributions to the common school fund or to charity, no additional penalty will be required from the contributor. If a registrant contributes funds to charity, staff will request documentation of that payment.

Per Wisconsin Statute §11.26(11), receiving committees have the option to return excess contributions to the donor. However, the Board will view this as an illegal loan, and will assess penalties on the committee and contributor of at least the amount of the illegal contributions.

(The 2008 schedule imposes a penalty of \$100 plus 10 percent of the transaction for violation of contribution limits. The proposed schedule just requires the contribution be forfeited to the common school fund or charity.)

- b. Corporate contributions

Any registrant accepting contributions from a corporation may be extended a settlement offer of one and one-half times the contribution.

Any corporation contributing money in violation of Chapter 11 may be extended a settlement offer of three times the contribution.

(The 2008 schedule required corporate contributions to be referred to the Board on a case-by-case basis. This establishes a standard penalty. §11.60(3) and §11.38(4) allow for a penalty of 6 times the amount of the contribution for corporate contributors.)

- c. Earmarking, laundering, and other contribution violations

These matters shall be referred to the Board with a recommended settlement offer to be determined on a case-by-case basis.

(“Corporate contributions” has been removed from this section and given its own section. “Other contributions violations” has been added.)

6. Disbursement Violations, §11.01(7), §11.01(16), Wis. Stats.

a. Making Illegal Disbursements

Board staff shall refer all violations for disbursing campaign funds for non-political purposes to the Board with the settlement offer to be determined on a case-by-case basis.

(No changes.)

7. Violations Related to Independent Expenditures, §11.06(7), Wis. Stats.

a. Failure to file voluntary oath

The Board staff shall refer all violations relating to the failure to timely file a complete voluntary oath or amendment to the Board with the settlement offer to be determined on a case-by-case basis.

(No changes.)

8. Miscellaneous Violations

a. Attribution Statements, §11.30(2), Wis. Stats.

When Board staff is informed of a registrant's failure to use a disclaimer, staff will contact the registrant. If the registrant makes immediate efforts to correct the problem, staff will treat the matter as a technical violation and impose no penalties. If the issue is widespread and remains uncorrected, board staff shall refer cases involving the failure to use a disclaimer or using a misleading disclaimer to the Board with the settlement offer to be determined on a case-by-case basis.

(The 2008 schedule required a letter from the registrant and directed that all cases be referred to the Board. The proposed schedule would refer only serious violations to the Board.)

b. Unlawful Use of Reports, §11.21(5), Wis. Stats.

Board staff shall refer violations involving the unlawful use of reports for solicitation or commercial purposes to the Board with the settlement amount to be determined on a case-by-case basis.

(The words "for solicitation or commercial purposes" have been added.)

c. Other violations

Board staff shall refer flagrant or repeated violations and violations not addressed in this schedule to the Board with a settlement offer to be determined on a case-by-case basis.

(No changes.)

9. Staff procedures for identifying campaign finance violations

- a. Board Staff's goal shall be to perform the following audits on a yearly basis:
 - An audit of individual contributions over \$100 to determine if committees have made a good faith effort to report employer information.
 - An audit of contributions from businesses to determine if committees have accepted illegal corporate contributions.
 - An audit of committees' reports, to determine if the reported ending cash balance equals the starting balance, plus all receipts, minus all expenses. This audit will also determine if the ending cash balance matches the beginning cash balance of the subsequent report.
- b. Board Staff's goal shall be to perform the following audits within a year of the close of each campaign period:
 - An audit of individual contributions to candidate committees, to determine whether any individual has contributed more than the individual limit for the office in question.
 - An audit of committee contributions to candidate committees, to determine whether any committee has accepted more than the contribution limit from a single committee.
 - An audit of receiving committees, conduits, and independent disbursement committees, to determine whether those committees have met late reporting requirements.
- c. Board Staff may perform additional audits at the request of the Board, or in response to a complaint.
- d. Staff may also present additional violations to the Board, if they find repeated failure to comply with reporting requirements or repeated violations below the thresholds set out in the sections above.

(This section is substantially new. The 2008 schedule did not describe regular audits. The section on identifying violations mostly covered resolving violations once they had been identified.)

Audits of required reports are performed after every filing deadline, and audits of required filing fees are performed once a year. They are not listed here.)

Board procedures for implementing settlement offers and resolving violations

- a. Staff may administratively resolve any technical violations of campaign finance disclosure laws by advising registrants in writing of the nature of the violation and that no further action will be taken except in the case of repeated or flagrant violations.
- b. Board staff shall evaluate the explanations provided by registrants in response to staff notices of violations. Board staff shall take into consideration any mitigating circumstances it identifies or that are brought to its attention when preparing its recommendations. These circumstances may include the lack of financial activity by a registrant.
- c. Penalties may be reduced or waived at staff's discretion if the committee has terminated or is terminating and has insufficient funds to pay a penalty.
- d. When Board staff offers a settlement, they shall notify the registrant or individual of the violation and settlement offer. Board staff shall send the settlement offer to the registrant or individual, or their attorney, offering to settle and compromise the case pursuant to §5.05(1)(c), Wis. Stats. The registrant or individual shall have 30 days from the date of the letter to pay the settlement offer or submit a written request to the Board to present their case.
- e. The Board may, on its own motion or at the request of its staff, reconsider any settlement offer. The Board will not reconsider any settlement offer unless the registrant or individual informs the Board about any material mistake or new evidence which the Board decides is a basis for reconsidering its original settlement offer.
- f. If the registrant or individual refuses to accept the Board's settlement offer or does not respond within the time period allowed, staff counsel may commence a civil action to collect a forfeiture in an amount not less than the amount of the offer pursuant to §11.60, Wis. Stats. After litigation begins, any settlement of the case shall include reimbursement to the state for all costs of commencing the litigation.
- g. Staff may place some registrants on administrative suspension rather than pursue civil action when appropriate. This will generally apply to registrants with little activity that we are unable to contact. When staff believes a registrant should be placed on administrative suspension, they will present the situation for the Board's approval. If a registrant on administrative suspension wishes to become active again, staff will actively seek all incurred penalties and all reports, including asking the Board to initiate a civil action.

- h. Board staff will inform the Board of all late reports, settlement offers, paid settlements and administrative suspensions at least every 6 months, and will compile a yearly summary for each calendar year.

(Sections C, G, and H are new. The other sections are substantially similar to the 2008 schedule.)

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| Recommendation 19 Page 52 | Adhere to the Government Accountability Board's February 2008 penalty schedule for assessing penalties on campaign finance entities that do not file statutorily required campaign finance reports on time. | Now current practice. |
|-------------------------------------|---|-----------------------|

Update and Recommendations

The Ethics and Accountability Division staff has prepared a revised schedule of campaign finance penalties for discussion at the March 2015 meeting of the Board. The schedule approved in 2008 was used as a basis. Some penalty amounts and deadlines were adjusted with a goal of improving fairness, uniformity and administrative efficiency. A schedule for late filing fee payments is included in the preceding section.

Recommended Motion:

The Board directs staff to follow the new campaign finance settlement offer schedule for late filings on an interim basis from January 1, 2015 forward.

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| <p>Recommendation 20 Page 52</p> | <p>Report to the Government Accountability Board at least quarterly on all campaign finance reports that were not submitted on time, whether a penalty was assessed for each late report, the amount of each assessed penalty, and the amount of each penalty that was paid and unpaid.</p> | <p>Preparing report for the March Board Meeting</p> |
| <p>Recommendation 21 Page 52</p> | <p>Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of their efforts to implement these recommendations (19 and 20).</p> | <p>Will submit report</p> |

Update and Recommendations

The Ethics and Accountability Division staff has prepared a revised schedule of campaign finance penalties for discussion at the March 2015 meeting of the Board. The schedule approved in 2008 was used as a basis. Some penalty amounts and deadlines were adjusted with a goal of improving fairness, uniformity and administrative efficiency. A schedule for late filing fee payments is included in the preceding section. Staff spelled out audit procedures and recommended a semi-annual report on audits and penalties rather than a quarterly report.

A semi-annual report was recommended because a quarterly report would not mesh well with the schedule of elections in Wisconsin. A semi-annual report in July could include an overview of the January Continuing, Spring Pre-Primary, and Spring Pre-Elections campaign finance reports. The January overview could cover the July Continuing, Fall Pre-Primary, and Fall Pre-Election campaign finance reports. Additional quarterly reports would fall too close to the deadlines for filing pre-primary and pre-election reports, and information would be incomplete. Staff currently includes information about late filings and civil penalties in its Division Report for each meeting of the Board.

Recommended Motion:

The Board directs staff to provide a semi-annual report on all campaign finance reports that were not submitted on time, whether a penalty was assessed for each late report, the amount of each assessed penalty and the amount of each penalty that was paid and unpaid. This report shall be presented after January 1 and July 1 each year. Staff is further directed to provide information on the filing of campaign finance reports and the assessment of any civil penalties as part of its Division Report for each meeting.

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| Recommendation 22 Page 54 | Adhere to the Government Accountability Board's February 2008 penalty schedule when assessing penalties for campaign contributions in violation of statutory limits. | Now current practice |
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Update and Recommendations

The Ethics and Accountability Division staff has prepared a revised schedule of campaign finance penalties for discussion at the March 2015 meeting of the Board. The schedule approved in 2008 was used as a basis. Some penalty amounts and deadlines were adjusted with a goal of improving fairness, uniformity and administrative efficiency. A schedule for late filing fee payments is included in a preceding section. Staff spelled out audit procedures and recommended a semi-annual report on audits and penalties.

Recommended Motion:

The Board directs staff to follow the new campaign finance settlement offer schedule for contributions in excess of statutory limits on an interim basis from January 1, 2015 forward.

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| Recommendation 23 Page 54 | Track centrally all penalties assessed for violations of campaign finance contribution limits and use the information to report to the Government Accountability Board at least quarterly on all violations of campaign finance contribution limits, whether a penalty was assessed for each violation or a written warning was provided in lieu of a penalty, the amount of each assessed penalty, and the amount of each penalty that was paid and unpaid. | Under development |
| Recommendation 24 Page 55 | Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of their efforts to implement these recommendations (22 and 23). | Will submit report |

Update and Recommendations

The Ethics and Accountability Division staff is working to develop a web-based system for tracking all penalties using Microsoft SharePoint, and plans to provide additional information on this new tracking system at the April meeting.

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| <p>Recommendation 25 Page 56</p> | <p>Publish on the Government Accountability Board's website summaries of all confidential advisory opinions issued related to compliance with campaign finance laws.</p> | <p>Completed</p> |
| <p>Recommendation 26 Page 56</p> | <p>Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of their efforts to implement this recommendation.</p> | <p>Will submit report</p> |

Update and Recommendations

The Ethics and Accountability Division staff will publish summaries of all formal board opinions related to compliance with campaign finance laws on the G.A.B. website within 10 business days of Board approval. The summaries will be appropriately redacted to ensure that confidential information remains undisclosed.

Staff has completed and published all formal board opinions related to compliance with campaign finance laws through the December 16, 2014 board meeting. The Board issued no opinions at its January meetings.

Advisory opinions of the Board are published here: <http://gab.wi.gov/about/opinions/gab>

Recommended Motion:

The Board establishes a publication schedule for redacted versions of formal opinions, and directs staff to publish such opinions on the Board’s website within 10 business days of issuance.

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| <p>Recommendation 27 Page 59</p> | <p>Determine whether to revoke the existing licenses of lobbyists who are delinquent in paying state taxes or court-ordered child or family support payments.</p> | <p>Preparing report for the March Board Meeting</p> |
| <p>Recommendation 28 Page 59</p> | <p>Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of their efforts to implement this recommendation.</p> | <p>Will submit report</p> |

Update and Recommendations

The Ethics and Accountability Division staff met with several employees of the Department of Revenue on January 22, 2015. During this meeting we reviewed their process for checking for tax delinquency using a web service. G.A.B. staff identified potential ways to improve the efficiency of our process, including being able to recheck licensed lobbyists for tax delinquency on a daily basis with little to no staff involvement required. This process would be almost completely automated. Staff intends to schedule a similar meeting with the Department of Children and Families to identify potential process improvements and procedures for rechecking licensed lobbyists. Staff will also work with these agencies to update applicable MOUs, and has received a proposed MOU from the Department of Revenue.

Recommended Motion:

The Board directs staff to continue working with DOR and DCF to implement rechecking licensed lobbyists for delinquent taxes or court-ordered child/family support payments and report back to the Board upon implementation.

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| Recommendation 29 Page 64 | Adhere to the Government Accountability Board's February 2008 penalty schedule when assessing penalties. | Now current practice |
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Update and Recommendations

The Ethics and Accountability Division staff has prepared a revised settlement offer schedule for late filing of Statements of Lobbying Activity and Expenditures (SLAE) for discussion at the March 2015 meeting of the Board. The schedule approved in 2008 was used as a basis. Some penalty amounts and deadlines were adjusted with a goal of improving fairness, uniformity, and administrative efficiency.

Overall, the Wisconsin lobbying community is very diligent with respect to timely filing of reports. In the most recent filing period, about 96 percent of principals required to file did so on a timely basis. Staff generally experiences late reporting from a handful of small organizations with little to no time or money spent lobbying. In the most recent filing period, approximately 71 percent of the principals which filed the SLAE more than two days late reported zero hours and zero dollars spent lobbying in the preceding six months.

Recommended Motion:

The Board directs staff to follow the new forfeiture schedule for late Statements of Lobbying Activity and Expenditures on an interim basis from January 1, 2015 forward.

Late filing of semi-annual lobbying report (§13.68) – maximum penalty \$5,000

| Days Late | First Offense | Second or Greater Offense |
|------------------|----------------------|----------------------------------|
| 2 business days | No penalty | Warning |
| 3-5 days | Warning | \$50 |
| 6-15 days | Warning | \$100 |
| 16-29 days | \$50 | \$250 |
| 30+ days | \$100 | \$500 |

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| Recommendation 30 Page 64 | Track centrally all penalties assessed for violations of lobbying laws, all penalties waived and the reasons for waiving them, and all written warnings provided in lieu of assessing penalties and the reason for each written warning and use the information to report to the Government Accountability Board at least quarterly on the number of violations of each lobbying law, whether a penalty was assessed for each violation, the amount of each assessed and waived penalty, and the amount of each penalty that was paid and unpaid. | Under development |
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Update and Recommendations

The Ethics and Accountability Division staff is working to develop a system for tracking all penalties using Microsoft SharePoint, and plan to provide additional information on this new tracking system at the April meeting.

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| <p>Recommendation 31 Page 64</p> | <p>Prohibit principals that have not filed timely semiannual expense statements from allowing lobbyists to lobby on their behalf or request that the Legislature modify this provision.</p> | <p>Preparing report for the March Board Meeting</p> |
| <p>Recommendation 32 Page 64</p> | <p>Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of their efforts to implement these recommendations (29, 30 and 31).</p> | <p>Will submit report</p> |

Update and Recommendations

The Ethics and Accountability Division staff sends an email notice within one business day to any lobbying principal that has not timely filed a Statement of Lobbying Activities and Expenditures, informing the principal it may be subject to a civil forfeiture if it does not immediately comply. Relatively few principals fail to meet the filing deadline. Staff attempts to contact personally each principal who has failed to file within the next several business days following the filing deadline. After a week, staff sends a letter which contains the settlement schedule approved by the Board. Staff can easily incorporate the suspension provision into the notices. Staff has some concerns about the constitutionality of prohibiting a principal to lobby for the late filing. If a principal refuses to file a report, staff will bring the matter to the Board for resolution.

Recommended Motion:

The Board approves the staff’s notification and compliance procedures.

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| Recommendation 33 Page 65 | Include in the weekly reports to the Legislature while the Legislature is in session all statutorily required information about lobbying activities or request that the Legislature modify statutes to allow these reports to exclude information that is publicly available on the Eye on Lobbying website. | Information provided electronically pursuant to agreement with Legislative Clerks |
|-------------------------------------|--|---|

Update and Recommendations

The Ethics and Accountability Division staff modified the report sent to the legislative clerks to include all information required by Wis. Stat. §13.685(7). The first report in this updated format was sent to the legislature on January 28, followed by subsequent reports on February 3, 10, 17 and 24. Staff will continue to send reports each Tuesday while the Legislature is in session.

Below is an example format of the updates sent to the State Legislature each Tuesday while in session.

DATE: **SAMPLE**

TO: Senate Chief Clerk
 Assembly Chief Clerk

FROM: Government Accountability Board

SUBJECT: Statutorily Required Lobbying Report

Pursuant to Wis. Stat. §13.685(7), we are providing the enclosed information. Please visit the Government Accountability Board's *Eye on Lobbying* website, <https://lobbying.wi.gov>, for more detailed information about lobbyists, lobbying principals (organizations) and state agency liaisons.

New Lobbying Principals

12/1/2014 - 12/1/2014

| Principal Name | Mailing Address | Area Of Interest |
|------------------------------------|--|--|
| AARP | 222 W Washington Ave, Ste 600, Madison, WI, 53703-2745 | Long-term care and health care services and benefits, health care consumer protection, utility regulation, insurance regulation, campaign finance. |
| Badger State Sheriffs' Association | P.O. Box 394, Bruce, WI, 54819 | The BSSA will work with local, State, and Federal officials on public safety, law enforcement, emergency management, corrections, court, civil process and other crime prevention programs and services. |
| Wisconsin Builders Association | 660 John Nolen Drive, #320, Madison, WI, 53713-1469 | Construction, tax, code |

| | | |
|----------------------------------|-----------------------------------|--|
| Wisconsin Property Taxpayers Inc | P.O. Box 1493, Madison, WI, 53701 | All areas affecting school and local government financing and property taxes, state spending, property tax relief, credits and local aids. |
|----------------------------------|-----------------------------------|--|

New Licensed Lobbyists

12/1/2014 - 12/1/2014

| Lobbyist Name | Licensed Date |
|-------------------|---------------|
| Abrams, William | 12/1/2014 |
| Anderson, Scott | 12/1/2014 |
| Badeau, Jennifer | 12/1/2014 |
| Battles, Cale | 12/1/2014 |
| McCoshen, William | 12/1/2014 |
| Whitaker, George | 12/1/2014 |
| Winters, Amy | 12/1/2014 |

New Lobbyist Authorizations

12/1/2014 - 12/1/2014

| Lobbyist Name | Principal Name | Authorized Date |
|------------------|---|-----------------|
| Abrams, William | Wisconsin Medical Society | 12/1/2014 |
| Badeau, Jennifer | Wisconsin Petroleum Marketers & Convenience Store Association | 12/1/2014 |
| Battles, Cale | State Bar of Wisconsin | 12/1/2014 |
| Birkley, Michael | Wisconsin Property Taxpayers Inc | 12/1/2014 |
| Boycks, Brad | Wisconsin Builders Association | 12/1/2014 |

New Agency Liaisons

12/1/2014 - 12/1/2014

| Agency Name | Full Name | Start Date |
|--|---------------------|------------|
| Wisconsin Economic Development Corporation | Dumermuth, Mindy L. | 12/1/2014 |

No Action Required

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|-------------------------------------|---|--------------------|
| Recommendation 34 Page 65 | Include in the biennial reports to the Legislature all statutorily required information. | Will complete |
| Recommendation 35 Page 65 | Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of their efforts to implement these recommendations (33 and 34). | Will submit report |

Update and Recommendations

Wis. Stat. §13.685(7) requires the Board to include in its biennial report summaries of the Statements of Lobbying Activities and Expenditures (SLAE) and State Agency Legislative Liaison Reports. These reports have been publicly available through the Eye on Lobbying website: <https://lobbying.wi.gov>, and on the agency website: <http://gab.wi.gov/publications/reports/lobbying>. This information will be included in future biennial reports.

No Action Required

| | | |
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| Recommendation 36 Page 67 | Publish on the Government Accountability Board's website summaries of all confidential advisory opinions issued related to compliance with lobbying laws. | Completed |
| Recommendation 37 Page 67 | Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of their efforts to implement this recommendation. | Completed |

Update and Recommendations

All summaries of confidential advisory opinions are now posted on the website: <http://gab.wi.gov/about/opinions/gab>. Publication of future advisory opinions will adhere to the 10 business day standard.

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| Recommendation 38 Page 73 | Develop written policies for granting individuals extensions to the deadline for filing statements of economic interests and comply with statutes by setting forth in writing the reasons for granting each extension. | Preparing report for the March Board Meeting |
|-------------------------------------|--|--|

Update and Recommendations

The Ethics and Accountability Division staff has prepared a revised schedule of penalties for late filing of statements of economic interests for discussion at the March 2015 meeting of the Board. The schedule includes procedures for extending the filing deadline, and requesting and approving waivers of the requirement to file. The schedule proposes that the Board grant all extensions of 15 days or less, “for reasons of administrative efficiency.” Extensions of more than 15 days would be individually considered by the Board. The penalties for late filing were updated, and a deadline for referring the matter to the official’s employer was added. The schedule also spells out in the case of officials that are no longer serving, staff may waive the filing requirement and late penalties, if any.

The proposed settlement offer schedule and compliance procedures follow this page in the report.

Recommended Motion:

The Board approves the following procedures for filing Statements of Economic Interests as revised, and directs staff to follow these procedures on an interim basis pending the promulgation of an administrative rule.

MEMORANDUM

DATE: For the March 4-5, 2015 Board meeting

TO: Members, Government Accountability Board

FROM: Jonathan Becker, Division Administrator
Ethics and Accountability Division

Prepared by:
Adam Harvell, Campaign Finance Auditor and Ethics Specialist

SUBJECT: Schedule and Procedures for Implementing Settlement Offers for late Statements of Economic Interests

This document sets out procedures for enforcing the requirement for state public officials to file Statement of Economic Interests by the statutory deadlines set out in §19.43, Wis. Stats. The Board's authority for initiating settlement offers is set out in §5.05(1)(c), Wis. Stats.

The primary interest of the Board is providing timely and accurate economic information to the public, and collection of penalties is secondary to that goal. In assessing penalties and offering settlements for violations, Board staff will consider mitigating or exacerbating circumstances like the number of previous offenses and the nature of the official's position, and may modify procedures and penalties accordingly.

This schedule is created pending promulgation of administrative rules under § 5.05(1)(f).

Filing of Statements of Economic Interests, §19.43, Wis. Stats.

a. Requests for Extensions of time under §19.43(8)

By statute, officials may request an extension of the deadline to file a Statement of Economic Interests. When an official requests an extension, staff will ask for the request in writing. For reasons of administrative efficiency, staff will grant requests for extensions for 15 days or less. If the official's request is for more than a 15 day extension, staff will grant an extension of 15 days, and inform the official that their request for further extension will be presented at the next Board meeting, along with information on when the official's Statement was filed. If the Board grants the request for further extension, no penalty will be assessed. If the Board denies the request for further extension, and the official filed a Statement more than 15 days after the original deadline, the official will be assessed a penalty for late filing under section (d). Staff will not grant extensions to candidates for office required to file a Statement under §19.43(4).

b. Requests for Waivers under §19.43(8)

When an official requests a waiver from filing all or part of their Statement, staff will ask for the request in writing. Staff will inform the official that their request for waiver will be presented at the next Board meeting, along with information on whether part or all of the official's Statement has been filed. If the Board grants the request for waiver, the official will not be required to file the portion of the Statement that was waived. If the Board denies the request for waiver, the official will be notified of that denial. If the official fails to file all required information within 15 days of that notification, penalties will be assessed under section (d).

c. Failure to Timely File by Candidates for State Public Office under §19.43(4)

A Candidate required to file a Statement that fails to meet the deadline set out in §19.43(4) will be denied ballot placement, and no financial penalty will be assessed.

d. Failure to Timely File by Officials and Nominees under §19.43(1), (2) and (3)

If an official or nominee is required to file a Statement by Wis. Stats. §19.43(1), (2), or (3) and fails to file a Statement within 15 days after written notice from staff, staff will offer a settlement agreement of \$50. This penalty will increase by \$50 every two weeks, up to a maximum of \$500. If an official or nominee fails to file a statement within 30 days, staff will notify the officials identified in §19.43(7), and instruct the employer to withhold compensation to the individual until the Statement has been filed.

Staff may use its own discretion to waive filing requirements or penalties in the case of an official or nominee who has already terminated their nomination, employment, or service.

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| Recommendation 39 Page 73 | Promptly notify the Department of Administration and the employing agency when an individual does not file a statement of economic interests on time. | Preparing report for the March Board Meeting |
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Update and Recommendations

The Ethics and Accountability Division staff has prepared a revised schedule of penalties for late filing of statements of economic interests for discussion at the March 2015 meeting of the Board. The schedule includes procedures for extending the filing deadline, and requesting and approving waivers of the requirement to file. The schedule proposes that the Board grant all extensions of 15 days or less, “for reasons of administrative efficiency.” Extensions of more than 15 days would be individually considered by the Board. The penalties for late filing were updated, and a deadline for referring the matter to the official’s employer was added. The schedule also spells out in the case of officials that are no longer serving, staff may waive the filing requirement and late penalties, if any.

A copy of the proposed settlement offer schedule precedes this section of the report.

Recommended Motion:

The Board makes changes to the SEI procedures if desired, and directs staff to follow the updated procedures effective January 1, 2015.

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| Recommendation 40 Page 73 | Track centrally how often they assess penalties on individuals who have not filed statements of economic interests on time and the amounts of the assessed penalties and use this information to report to the Government Accountability Board at least quarterly on the extent to which statements were not filed on time, whether a penalty was assessed for each violation, the amount of each penalty assessed, and the amount of each penalty that was paid and unpaid. | Under development |
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Update and Recommendations

Staff is working to develop a system for tracking all penalties using Microsoft SharePoint, and plans to provide additional information on this new tracking system at the April meeting.

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| Recommendation 41 Page 73 | Adhere to the Government Accountability Board's February 2008 penalty schedule when assessing penalties on individuals who do not file statements of economic interests on time. | Now current practice |
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Update and Recommendations

The Ethics and Accountability Division staff has prepared a revised schedule of penalties for late filing of statements of economic interests for discussion at the March 2015 meeting of the Board. The schedule includes procedures for extending the filing deadline, and requesting and approving waivers of the requirement to file. The schedule proposes that the Board grant all extensions of 15 days or less, "for reasons of administrative efficiency." Extensions of more than 15 days would be individually considered by the Board. The penalties for late filing were updated, and a deadline for referring the matter to the official's employer was added. The schedule also spells out in the case of officials that are no longer serving, staff may waive the filing requirement and late penalties, if any.

A copy of the proposed schedule has been presented in a previous section of this report.

Recommended Motion:

The Board makes changes to the SEI procedures if desired, and directs staff to follow the updated procedures effective January 1, 2015.

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| <p>Recommendation 42 Page 73</p> | <p>Present to the Government Accountability Board for its approval policies indicating when staff should not attempt to collect penalties that have been assessed on individuals who do not file statements of economic interests on time.</p> | <p>Preparing report for the March Board Meeting</p> |
| <p>Recommendation 43 Page 74</p> | <p>Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of their efforts to implement these recommendations (38, 39, 40, 41 and 42).</p> | <p>Will submit report</p> |

Update and Recommendations

The Ethics and Accountability Division staff has prepared a revised schedule of penalties for late filing of statements of economic interests for discussion at the March 2015 meeting of the Board. The schedule includes procedures for extending the filing deadline, and requesting and approving waivers of the requirement to file. The schedule proposes that the Board grant all extensions of 15 days or less, “for reasons of administrative efficiency.” Extensions of more than 15 days would be individually considered by the Board. The penalties for late filing were updated, and a deadline for referring the matter to the official’s employer was added. The schedule also spells out in the case of officials that are no longer serving, staff may waive the filing requirement and late penalties, if any.

A copy of the proposed scheduled has been presented in a previous section of this report.

Recommended Motion:

The Board makes changes to the SEI procedures if desired, and directs staff to follow the updated procedures Effective January 1, 2015.

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| <p>Recommendation 44 Page 87</p> | <p>Present to the Government Accountability Board for its approval written policies for considering complaints filed with the Ethics and Accountability Division and the Elections Division.</p> | <p>Report prepared for the March Board Meeting</p> |
| <p>Recommendation 45 Page 87</p> | <p>Maintain complete, centralized information about all complaints received and inquiries undertaken, including the resolution of these issues.</p> | <p>Database created</p> |
| <p>Recommendation 46 Page 87</p> | <p>Report regularly to the Government Accountability Board on the status and resolution of all inquiries.</p> | <p>Report for the March Board Meeting</p> |
| <p>Recommendation 47 Page 87</p> | <p>Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of their efforts to implement these recommendations (44, 45 and 46).</p> | <p>Will submit report</p> |

Update and Recommendations

Staff has developed a tracking system for complaints using Microsoft SharePoint. This system will allow the Board and staff to leverage available technology to efficiently store confidential records; limit and control access to documents and information; efficiently manage complaint responses; and generate reports for Board Members that provide a summary of the status of complaints received, in-progress and completed.

This system will be used to report regularly to the Board on the status and resolution of all inquiries at each board meeting during the closed session. A more complete background memorandum and proposed procedures for resolving and tracking complaints follows this section of the report.

Recommended Motion:

The Board approves the attached Complaint Procedures, and directs Board staff to implement the described procedures, and provide reports to the Board at each regular meeting which summarize the status of complaints received by the agency and of its investigations and inquiries.

MEMORANDUM

DATE: For the Meeting of March 4-5, 2015

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy
Director and General Counsel
Government Accountability Board

Prepared and Presented by:
Michael Haas, Elections Division Administrator
Jonathan Becker, Ethics and Accountability Division Administrator

SUBJECT: Complaint Processing and Tracking Procedures

A. Introduction

This memorandum provides background information related to the efforts of Board staff to improve the processing and tracking of complaints and inquiries received by the agency, as recommended by the Legislative Audit Bureau (LAB). The LAB made the following specific recommendations:

The agency staff present to the Government Accountability Board for its approval written policies for considering complaints filed with the Ethics and Accountability Division and the Elections Division.

The agency staff maintain complete, centralized information about all complaints received and inquiries undertaken, including the resolution of these issues.

The agency staff report regularly to the Government Accountability Board on the status and resolution of all inquiries.

To implement these recommendations, Board staff has developed a new electronic database designed to more efficiently complete the intake of complaints, document the staff assigned to handle complaints, and track the status and resolution of complaints and agency inquiries and investigations. The attached draft procedures are presented for the Board's consideration, as recommended by the Legislative Audit Bureau.

B. Legal Framework for Complaint Jurisdiction

1. Section 5.05 Complaints

The agency's authority to receive and resolve complaints is established by §§5.05 and 5.06, Wis. Stats. Section 5.05(2m)(c)2.a. authorizes any person to file a complaint with the G.A.B. alleging a violation of chapters 5 to 12 (election and campaign finance laws), subchapter III of Chapter 13 (lobbying laws) or subchapter III of chapter 19 (code of ethics for public officials). For example, a Section 5.05 complaint may allege election fraud, violation of campaign finance contribution requirements, or an improper action or conflict of interest under the Code of Ethics for State Public Officials. The Board may also initiate an investigation or inquiry on its own initiative without receiving a complaint.

The ultimate resolution of an investigation initiated under Section 5.05 may be dismissal of the complaint, termination of the matter, filing of a civil complaint seeking a forfeiture penalty, or a referral of the matter to the appropriate district attorney to pursue criminal prosecution. With certain exceptions, records related to investigations conducted pursuant to Section 5.05 are confidential, and G.A.B. staff is prohibited from releasing such records. In most cases, matters pursued under Section 5.05 are processed and investigated by the Ethics and Accountability Division and Staff Counsel.

2. Section 5.06 Complaints

Section 5.06, Wis. Stats. permits a qualified elector of a jurisdiction to file a complaint with the Board alleging that a local election official has failed to comply with the election laws, or has abused his or her discretion in administering the election laws. An appeal of a ballot access decision made by a local filing officer, or of a decision whether to certify an election petition as sufficient, are examples of complaints filed pursuant to §5.06, Wis. Stats. The Board may also initiate, without a complaint, an investigation to determine whether a local election official has failed to comply with the law or abused the discretion vested in the election official to administer the law.

Complaints filed pursuant to §5.06, Wis. Stats. are not considered confidential and are processed and resolved by the Elections Division and Staff Counsel. While the Board may conduct an administrative hearing regarding a complaint, the Board has historically delegated to the Director and General Counsel the authority to issue an order under §5.06, after consultation with the Board Chair, as permitted by Wis. Stat. §5.05(1)(e). The Director and General Counsel may issue findings that a local election official did or did not comply with the election laws or abused the official's discretion in administering the law, and may require the election official to conform his or her conduct to the law or correct any action or decision that is inconsistent with the law. If necessary, the Board may also seek to enforce its order by commencing a civil action under §5.05, Wis. Stats.

Chapter GAB 20, Wis. Adm. Code, outlines specific steps governing the filing, processing, and resolution of complaints filed with the Board. While GAB §20.01, Wis. Adm. Code, states that Chapter 20 applies to complaints filed pursuant to §§5.05, 11.60(5), and 11.66, that language is an erroneous remnant of the merger of the State Elections Board and State Ethics Board which created the G.A.B. In reality, Chapter 20

applies only to complaints filed pursuant to §5.06, Wis. Stats., which challenge a decision of a local election official.

The significance of a complaint appealing a decision or action of a local election official is that a complainant may not commence a court action to contest the validity of the decision or action without first filing a complaint with the Board pursuant to Section 5.06 and completing that administrative process. The complainant or election official involved may appeal the Board's findings and order to circuit court within 30 days of the Board's decision.

In handling complaints challenging the actions of local election official, Board staff has reserved the formal process of responsive filings and due process steps outlined in the Statutes and Administrative Code for more significant matters. These might involve decisions regarding ballot access or the sufficiency of an election petition, or a clerk's noncompliance with substantive requirements which jeopardize the fairness of the election process. Board staff has attempted to resolve most complaints regarding local election officials in a less formal manner for several reasons.

Often, the matter may involve a straightforward application of election law and, pursuant to GAB 20.04, Wis. Adm. Code, it may be dismissed for failing to establish probable cause that the law has been violated. Or the timeliness necessary to resolve a matter does not accommodate a schedule of responsive pleadings from the parties involved. Finally, resolving whether the action of the local election official was proper under the law is often the sole outcome requested by the complainant, rather than preserving their ability to pursue the matter in court, which is the focus of Wis. Stat. §5.06. In such cases, staff has simply resolved the issue in a telephone conversation or email exchange by providing relevant information about the law and guidance to the parties.

C. Improvements to Complaint Procedures

While Wis. Stats. §5.05 and 5.06, and Chapter GAB 20, Wis. Adm. Code, establish some procedures for complainants, as well as for Board staff to interact with the involved parties to a complaint or an agency investigation, the LAB recommended that the Board approve more specific written policies for the staff's internal processing and tracking of complaints as well as the agency's investigations and preliminary inquiries. Board staff has previously utilized several versions of tracking databases, including an antiquated system inherited from the former Ethics Board, as well as a database created to electronically transfer election-related complaints received through the G.A.B. website's complaint page.

Experience has shown that these systems can be improved by using updated technology solutions and by revising the method of receiving complaints through the agency website. For example, one obstacle to accurate and efficient complaint processing and tracking has resulted from the option for the public to submit complaints or comments through the G.A.B. website. Submissions are self-categorized as a complaint involving election fraud, election official action, or voter intimidation, or simply as a comment regarding election administration. Inquiries are routinely identified incorrectly when submitted through the website, and often a submission categorized as a complaint is

simply an observation or question that is not actionable as a complaint under Section 5.05 or 5.06 of the Statutes.

While the complaint page of the website was intended to provide a convenient means for the public to initiate the complaint process, staff believes modifications are required to more accurately distinguish between actual complaints and other inquiries or comments. Staff intends to continue permitting complaints and other correspondence to be submitted through the website, but to remove the option for an individual to categorize the submission. Instead, each submission will be reviewed by staff and identified as a complaint requiring formal or informal resolution, or as another type of communication.

Using Microsoft SharePoint, Board staff has developed a new database to process, assign, track, and resolve complaints submitted to both the Elections Division and the Ethics and Accountability Division. The attached draft procedures are proposed to be implemented in conjunction with the new database to track the intake, review, and resolution of complaints.

The database includes some features common to both Divisions in processing complaints, such as automatically assigning a file number to a complaint, permitting the complaint to be categorized by subject matter; tracking the assigned staff, case status, and resolution information; including fields for additional comments; and allowing key documents to be attached to each complaint record and saved in the database. Each complaint record will link to an electronic folder for each complaint for easier navigation between the complaint record and relevant documents and for convenient retrieval of complaint records. The database will also contain links to the complaint procedures and template letters to be used in processing complaints.

The database also includes features unique to complaints received by each of the Divisions, such as designating whether Ethics Division complaints should be treated as confidential, documenting financial penalties which are imposed and collected, and indicating whether a complaint is not within the agency's jurisdiction. The database will restrict access to confidential complaint records to agency management, staff counsels, and Ethics and Accountability Division staff. It will also indicate whether Elections Division complaints are resolved informally or with the formal Section 5.06 procedures which result in the issuance of an order.

Board staff expects that use of the database and the attached procedures will improve the timely processing and tracking of complaints, and will also allow staff to produce more useful and consistent reports to the Board, as recommended by the Legislative Audit Bureau. Additional enhancements or modifications to the database may be implemented based upon experience using the system and procedures. Screen shots illustrating the use of the new database are included with the draft complaint procedures. Unless the Board wishes to establish a different reporting schedule, staff recommends that the Board receive reports summarizing the status of complaints and agency investigations and inquiries at its regular Board meetings.

Government Accountability Board Complaint Procedures

Draft Procedures – March 4, 2015

The procedures outlined below are intended to comply with and implement the statutes and administrative rules governing the processing of and resolution of complaints filed with the Government Accountability Board (G.A.B. or Board). These procedures make use of the Complaint Tracking Database created in SharePoint, which contains separate tracking mechanisms for complaints handled by the Elections Division and the Ethics and Accountability Division.

A. Complaint Intake

1. A complaint may be received as a paper complaint or by fax, email, or through the agency website. When received as a paper or fax complaint, Front Desk staff shall forward the complaint to the Elections Division Administrator if it relates to election laws, and to the Ethics and Accountability Division Administrator if it relates to laws governing campaign finance, lobbying, or the code of ethics for public officials. The Public Information Officer shall forward any complaints received through the agency website to the appropriate Division Administrator. Email complaints received by other staff shall be forwarded to the appropriate Division Administrator.
2. The agency website shall be modified to permit electronic filing of complaints and other communications, but to remove the categorization of the complaint or communication by the individual submitting it.
3. Regardless of the form of the submission, the appropriate Division Administrator shall determine whether it constitutes a complaint which is entered into the Complaint Tracking Database. The Elections Division portal of the Database is intended to track complaints regarding an action or decision of a local election official. The Ethics Division portal of the Database is intended to track complaints under that Division's jurisdiction as well as submissions relating to matters outside of its jurisdiction. The Database is not intended to track campaign finance audits or requests for advice.
4. If the submission constitutes a complaint to be included in the Database, the appropriate Division Administrator shall open a record in the database using the proper naming convention, or shall designate a staff member to do so. Paper complaints shall be scanned and attached to the complaint record, and complaints submitted through the website or by email shall be saved and attached to the complaint file in the Database.
5. When the record is created in the Database, the Database will automatically generate a complaint identification number and the date on which the record was created. The ID number will include a designation for the year in which the complaint was opened. The ID numbers will be sequential across the two Divisions, but reports can be generated to include only those assigned to either of the Divisions to facilitate management oversight of complaints handled by each

Division as well as reporting to the Board. The Database will also create a folder to store documents related to the complaint which will be linked to the complaint record.

B. Complaint Processing – Elections Division

1. Within two days of receiving a complaint, the Elections Division Administrator shall determine whether the complaint will be processed using informal fact finding and resolution or the formal procedures outlined in Wis. Stat. §5.06 and Ch. GAB 20, Wis. Adm. Code. The decision to utilize the formal Section 5.06 procedures to resolve a complaint shall be made in consultation with Staff Counsel and the Director and General Counsel. To invoke the formal Section 5.06 procedures, the G.A.B. must receive an original sworn complaint.
2. When a complaint is designated for informal fact finding and resolution, the Division Administrator shall assign it to a staff member for processing and resolution. Factors favoring the use of the informal resolution process include a complaint which raises a minor issue of fact or law, involves a straightforward application of the law, is not an appeal of a ballot access decision or decision regarding the sufficiency of an election petition, and is not a matter for which the complainant or local election official appears likely to request a court determination.
3. The staff member assigned to undertake informal fact finding and resolution of a complaint shall, within 5 days of being assigned the complaint, make initial contact with the complainant by telephone or email to obtain any necessary additional facts. If the staff member will be unable to seek additional information within five days, the staff member shall send an email to the complainant acknowledging receipt of the complaint and advising that additional contact will be made shortly. If necessary, the staff member shall also contact the local election official involved to obtain additional facts or opposing arguments.
4. The assigned staff member shall analyze the facts and relevant law, and determine the proper outcome or resolution, consulting with Staff Counsel and the Division Administrator as necessary. The assigned staff member shall convey the agency's determination to the complainant and the local election official, either by email or via a telephone call and confirmation email. The assigned staff member shall notify the Division Administrator of the resolution of the complaint.
5. When a complaint is designated for the formal Section 5.06 process, the Division Administrator shall assign it to Staff Counsel, after consultation with the Director and General Counsel. Factors to be considered in invoking the Section 5.06 procedures include that the complaint involves a decision regarding ballot access or the sufficiency of an election petition, a significant factual dispute or legal issue, or a matter for which the complainant or local election official is likely to seek court review.
6. Within 10 days of receipt of the complaint, the assigned Staff Counsel shall determine if the complaint is not timely, is not in proper form, or does not

- establish probable cause that the local election official has failed to comply with the election laws. If Staff Counsel recommends dismissing the complaint on that basis, Staff Counsel shall draft correspondence outlining such determination for the review and signature of the Director and General Counsel. Upon approval of such letter and within 10 days of receipt of the complaint, the assigned Staff Counsel shall convey the correspondence to the complainant and the local election official.
7. If Staff Counsel determines that the complaint establishes probable cause, or that the complaint otherwise merits issuance of formal findings and order, Staff Counsel shall implement the procedures outlined in Ch. GAB 20, soliciting the local election official's answer within 10 business days of the election official receiving the complaint, and any reply from the complainant within 10 days of the complainant receiving the election official's answer. Staff Counsel may seek assistance from another staff member to obtain and analyze the submissions of the parties. In the event that the filing schedule cannot accommodate the timing necessary for a Board decision (e.g., complaint affects printing of ballots), the timeline for submissions by the parties may be shortened as approved by the Director and General Counsel.
 8. After review of all submissions, the assigned Staff Counsel shall draft a formal Findings and Order document for the review and approval of the Director and General Counsel, who shall consult with the Board Chair prior to executing the Findings and Order. The Board Chair may approve or reject the decision, require modifications, or determine that the matter should be set for a hearing before the Board as provided for in Chapter GAB 20, Wis. Adm. Code. Upon approval and execution of the Findings and Order, Staff Counsel shall transmit the decision to the complainant and local election official.
 9. Throughout the processing of resolving the complaint, either informally or using the Section 5.06 procedures, the assigned staff member or Staff Counsel shall document the status and significant information regarding the complaint in the Complaint Tracking Database. This shall include completing the data fields indicating the status of the complaint, the source of the complaint, deadlines for party filings, resolution information, and any additional comments. An example of a completed Elections Division complaint record is attached. The Order or other communication resolving the matter shall be attached to the complaint record in the Database. The assigned staff or Staff Counsel shall also be responsible for maintaining the electronic and paper files for said complaints.
 10. The Elections Division Administrator shall review the status of open complaints on a weekly basis to monitor the progress of complaint resolution. The Division Administrator shall also prepare a summary report for each Board meeting regarding the status of complaint files that are open or that have been closed since the previous Board meeting.

C. Complaint Processing – Ethics and Accountability Division

1. Within two days of receiving a complaint, the Ethics Division Administrator shall determine whether the complaint involves a matter outside of the agency's jurisdiction or pertains to a local matter. In either case, the Division Administrator will assign a staff member to generate an email or letter advising the complainant: (1) that the agency does not have jurisdiction regarding the matter, and informing the complainant of any other governmental agency that may be able to assist with the matter, if that information is known; or (2) that the matter should be addressed to a District Attorney. Standardized communications shall be utilized to resolve matters outside of the Board's jurisdiction. Staff assigned to the matter shall attach the complaint and the closing correspondence to the complaint record in the database.
2. Within five days of receipt of a complaint that is within the jurisdiction of the Ethics Division, staff will verify the receipt of the complaint to the complainant and the Division Administrator shall determine whether it may be possible to resolve the complaint through informal fact finding and communication, or if staff should seek the Board's input regarding, or approval of, a resolution authorizing an investigation pursuant to Wis. Stat. §5.05. The decision to utilize the formal Section 5.05 procedures to resolve a complaint shall be made in consultation with Staff Counsel and the Director and General Counsel.
3. Factors favoring the use of the informal resolution process include a complaint which raises a minor issue of fact or law, involves a straightforward application of settled law, and for which staff does not intend to seek a monetary penalty. When a complaint is designated for informal fact finding and resolution, the Division Administrator shall assign it to a staff member and/or Staff Counsel for processing and resolution.
4. The staff member or Staff Counsel assigned to undertake informal fact finding and resolution of a complaint shall, within 5 days of being assigned the complaint, make initial contact with the complainant by telephone or email to obtain any necessary additional facts. If the staff member will be unable to seek additional information within five days, the staff member shall send an email to the complainant acknowledging receipt of the complaint and advising that additional contact will be made shortly. If necessary, the staff member shall also contact other parties involved to obtain additional facts or opposing arguments.
5. The assigned staff member or Staff Counsel shall analyze the facts and relevant law, and determine the proper outcome or resolution, consulting with the Division Administrator and Director and General Counsel as necessary. The assigned staff member or Staff Counsel shall convey the agency's determination to the complainant and other involved parties, either by email or via a telephone call and confirmation email if permitted by law. The assigned staff member or Staff Counsel shall notify the Division Administrator of the resolution of the complaint.
6. When a complaint is designated for the formal Section 5.05 process, the Division Administrator shall assign it to himself or herself or to Staff Counsel, after

- consultation with the Director and General Counsel. Factors to be considered in invoking the Section 5.05 procedures include that the complaint involves the potential for the Board to seek a monetary penalty or prosecution, or involves a significant question of law.
7. After being assigned a complaint to be handled under the formal Section 5.05 process, the assigned staff or Staff Counsel shall complete any necessary preliminary inquiry and research, and, if appropriate, prepare a memorandum and proposed resolution authorizing an investigation for the Board's review and consideration. Assigned staff shall subsequently proceed as directed by the Board. If the Board authorizes an investigation or further inquiry or research, or approves a settlement agreement, assigned staff and Staff Counsel shall continue to resolve the complaint and report its status at subsequent Board meetings until the resolution of the matter.
 8. After completion of all Board action and investigation regarding the complaint, the assigned staff or Staff Counsel shall draft the appropriate closing documents, if any, for transmission to the parties.
 9. Throughout the processing of the complaint, the assigned staff member or Staff Counsel shall document the status and significant information regarding the complaint in the Complaint Tracking Database. This shall include completing the data fields indicating the status of the complaint, the source of the complaint, whether it is confidential, the subject category and subcategory of the complaint, forfeiture and resolution information, and any additional comments. The dismissal letter, settlement agreement, or other communication resolving the matter shall be attached to the complaint record in the Database. Attached is an example of a blank Ethics Division complaint record. Assigned staff or Staff Counsel shall also be responsible for maintaining the electronic and paper files for said complaints.
 10. The Ethics Division Administrator shall review the status of open complaints on a weekly basis to monitor the progress of complaint resolution. The Division Administrator shall also prepare a summary report for each Board meeting regarding the status of complaint files that are open or that have been closed since the previous Board meeting.

[New Complaint / Investigation](#)



**Wisconsin Government
Accountability Board**

**Complaints and Investigations
Online Database**

Select a Complaint/Investigation Division

| | |
|-------------------------|-----------|
| ETHICS & ACCOUNTABILITY | ELECTIONS |
|-------------------------|-----------|



Wisconsin Government Accountability Board Complaints and Investigations Records Online Database

ETHICS & ACCOUNTABILITY DIVISION COMPLAINT/INVESTIGATION

Complaint ID: _____ Status: **Open** [v]

In the Matter of: _____

Assigned To: _____ [i] [u]

Categories:

- Ethics
- Campaign Finance
- Lobbying
- Local Jurisdiction
- Elections

Subcategories:

- Missing Sign Disclaimer
- Exceeding Contribution Limits
- Corporate Contributions
- Illegal Coordination

Source: _____ [v] Investigation Authorized: _____ [i]

How did we become aware of the issue? _____ Date the Board authorized an investigation: _____

Source Details
(e.g., who filed the complaint or how did we become aware of the issue)

Resolution: **Open** [v] Resolution Date: _____ [i]

Forfeiture Amount Requested: _____ Date Forfeiture Requested: _____ [i]

Forfeiture Amount Paid: _____ Payment Date: _____ [i]

Additional Comments and Notes

Attachments (initial complaint only) [Click here to attach a file](#) Confidential



Wisconsin Government Accountability Board Complaints and Investigations Records Online Database

ELECTIONS DIVISION COMPLAINT/INVESTIGATION

| | | | |
|--------------------------------------|--|---------------------------|-----------|
| Complaint ID | 2015-26 | Status: | Closed |
| In the Matter of | Paul Bugenhagen Jr. v. Linda Van De Water, Candidate for Waukesha County Circuit Court Judge | | |
| Assigned To | Haas, Michael R - GAB | | |
| Categories | <input checked="" type="checkbox"/> Election Official Complaints - 5.06 | | |
| Source | Complaint filed | | |
| Director Review Deadline | 1/8/2015 | Response Deadline: | 1/12/2015 |
| | | Reply Deadline: | 1/13/2015 |
| Resolution | Formal Findings | | |
| | | Resolution Date | 2/13/2015 |
| Additional Notes and Comments | | | |
| Attachments | Bugenhagen Complaint.pdf Board memo and exhibits.pdf | | |

| | | |
|-------------------------------------|---|-------------|
| Recommendation 48 Page 92 | Promulgate all required administrative rules. | In progress |
|-------------------------------------|---|-------------|

Update and Recommendations

This effort will gain more focus with the hiring of a new staff counsel. The Director and current staff counsel have been focused on litigation issues as well as overseeing the overall response to the audit.

| | | |
|-------------------------------------|---|-------------|
| Recommendation 49 Page 92 | Remove from the Administrative Code the eight rules that are not in effect because it did not vote to adopt them. | In progress |
|-------------------------------------|---|-------------|

Update and Recommendations

This effort will gain more focus with the hiring of a new staff counsel. The Director and current staff counsel have been focused on litigation issues as well as overseeing the overall response to the audit.

| | | |
|-------------------------------------|--|--|
| Recommendation 50 Page 92 | Require its staff to report to it regularly on the status of efforts to promulgate administrative rules and remove from the Administrative Code rules that are not in effect. | Preparing report for the March Board Meeting |
| Recommendation 51 Page 92 | Report to the Joint Legislative Audit Committee by April 15, 2015, on the status of its efforts to implement these recommendations, including a schedule for promulgating each statutorily required administrative rule. (48, 49 and 50) | Will submit report |

Update and Recommendations

This effort will gain more focus with the hiring of a new staff counsel. The Director and current staff counsel have been focused on litigation issues as well as overseeing the overall response to the audit. Staff is developing a report template that will identify the status of all administrative rules that need attention.

State of Wisconsin\Government Accountability Board

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the March 4-5, 2015 Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy, Director and General Counsel
Wisconsin Government Accountability Board

Prepared by: Kevin J. Kennedy, Director and General Counsel
Sharrie Hauge, Chief Administrative Officer

SUBJECT: 2015-17 Biennial Budget Impacts

Below is a summary of the Governor's 2015-17 Biennial Budget Recommendations for the Government Accountability Board.

1. Ongoing Lapse Authority – The Governor recommends amending 2013 Wisconsin Act 20, as last affected by 2013 Wisconsin Act 145, to require a lapse from PR and GPR appropriations of executive branch state agencies to extend through FY-17. The board's amount is \$40,200 in each year.
2. Shared Agency Services Pilot Program – The Governor recommends creating a shared agency services pilot program within the Department of Administration (DOA) to consolidate administrative functions (including budget, finance, human resources, payroll, procurement and information technology). What that means for the agency is that all assets and liabilities of a shared services agency that relate to human resource services, payroll services, finance services, budget functions, procurement functions and Information Technology Services (IT), as determined by the secretary of the Department of Administration, become the assets and liabilities of the Department of Administration. At a minimum, the known impacts of this budget recommendation are that our two financial positions (Mike Lauth-Accountant) and (Julie Nischik-Financial Specialist 3) will be deleted and that DOA will be charging the agency for services they provide in these areas.
3. Elections Division Positions – The Governor recommends providing funding and permanent position authority for administration of elections to replace expiring project positions. While the position authority is considered permanent due to statutory definitions, these 22 positions are provided on a temporary basis with an end date of June 30, 2017.

4. Standard Budget Adjustments are approved, which includes: Full Funding of Continuing Position Salaries and Fringe Benefits, Reclassifications and Semiautomatic Pay Progressions and Full Funding of Lease Costs.
5. Board Member Per Diems and Meetings – The Governor did not approve additional funding for Board member Per Diems and Meetings as requested. As a result, the agency will have to absorb additional Board meeting costs in FY-16 and FY-17. The fiscal impact is estimated at \$14,900 in FY-16 and \$19,100 in FY-17.
6. Position for Agency Webmaster/Public Information Officer – The Governor did not approve position authority for a .25 FTE for our Public Information Officer. As a result, this position will continue at a .75 FTE.
7. Funding for Biennial Updating of Voter Registration List – The Governor did not approve funding for the cost of the statutorily-required Four Year Maintenance process. The agency will have to absorb \$96,875 of federal funds in FY-17 to pay for this.
8. Ethics and Accountability Division Information Technology – The Governor did not approve funding a full-time contract IT resource for the Ethics and Accountability Division to continue supporting and maintaining the Division’s IT infrastructure.

Budget Proposal that will Significantly Impact the Government Accountability Board’s Operations

One of the major initiatives that will significantly impact the Government Accountability Board’s daily operations is the Shared Agency Services Pilot Program. The proposal recommends creating a shared agency services pilot program within DOA to consolidate administrative functions (including budget, finance, human resources, payroll, procurement, and information technology) in agencies with less than 150.0 FTE. The Governor also recommended DOA conduct a study for an enterprise wide shared services model and to develop an implementation plan for the 2017-19 biennial budget. As a result of this proposal the two Government Accountability Board financial positions will be deleted.

DOA is supposed to provide support services in budget, finance, human resources, payroll, procurement and information technology; however, details about the implementation of those services has not been shared with the agency to date.

While agency staff agrees it is a good idea to conduct a study to determine if an enterprise wide shared services model can be efficient and cost effective, it does not recommend embarking on the implementation of a pilot program without first conducting a feasibility study to determine its operational and fiscal impact on agencies, especially in light of the STAR project implementation date coinciding with the proposed position deletions.

The staff’s understanding of this Pilot is that all administrative services functions will be provided by DOA. In-turn, agencies will be required to pay DOA for those services. While the salary and fringe benefits costs of the two deleted positions will be transferred to our supplies and services line (approximately \$126,600) to pay for the services and study, the chargeback rate has not been determined, and could exceed the budgeted salary and fringe benefits savings depending on the rate methodology.

Additional Financial/Operational Impacts

The adverse operational impacts for the G.A.B. will be significant. The Financial team has prepared a detailed description of its activities that would be transferred to DOA. In many cases it is difficult to fathom how DOA can carry out the agency specific duties without a close working relationship with agency staff. Given the fact DOA is located in a separate building and its staff does not know G.A.B. responsibilities, there will be significant inefficiencies created in communication. This will also mean repurposing program staff to work with DOA on basic functions. This is much more efficient utilizing current staff. The detailed work description accompanies this memorandum (see Attachment 1).

Impact on G.A.B. IT Services

Although details have not been not made public (nor specifically shared with G.A.B. at the time this report was prepared) regarding the DOA's Division of Enterprise Technology (DET) plan of action for providing IT support for G.A.B.'s IT applications, staff has significant concerns on the effect it could have on meeting the G.A.B.'s IT demands. G.A.B. management is scheduled to meet with DOA's Chief Information Officer on February 25. Without additional information to address the concerns identified by staff, the proposed plan of action appears to create a substantial risk that there will be a significant negative impact on the ability of the G.A.B. to serve its customers and effectively administer the laws under its jurisdiction.

Over the past five years, G.A.B. staff has created an in-house IT team that provides services to both divisions. Coincidentally, DET has pointed to the G.A.B. IT team as a "model" that could be adopted by other agencies, due to the efficiencies and high level of effectiveness that the current structure provides. This model was developed over time based on G.A.B.'s experience relying on DET to lead its IT functions, and with DET's full knowledge and support. The contracted IT team was developed to provide direct accountability to the G.A.B. and provides a level of collaboration and innovation that would prove challenging to be met by any other IT structure. The IT team is dedicated full time to developing, maintaining and improving G.A.B.'s IT solutions. They have extensive understanding of and experience with all of our systems, based on continuously working with them and our subject matter experts on a daily basis. G.A.B. staff developed this model because DET was not able to maintain our systems or develop systems fitting our needs effectively and efficiently. Staff had repeated experiences with DET working on projects that experienced unnecessary and prolonged delays, did not meet our requirements, and created challenges for our IT team to subsequently untangle coding problems. Needless to say, that experience, contrasted with the successes we have had under our current structure, creates great concern about the prospect of undoing that progress and reverting to a system where DET would attempt to handle the internal and external demands related to G.A.B.'s IT systems.

It is also important to note that the Elections Division is in the midst of modernizing the Statewide Voter Registration System (SVRS) which will completely overhaul the existing system and make it more efficient, robust and user-friendly. SVRS is a very complex system that serves every election district in the state and interfaces with many other technical applications. This project requires a great amount of institutional knowledge from both the business and IT sections of our operations to support that project, which has taken years to develop and cannot be picked up and absorbed easily or quickly. The new system is scheduled to launch at the end of the calendar year,

but any structural IT change would certainly have an effect on the overall project and projected timeline and cost.

Although the G.A.B. is a smaller state agency, in order to continue making agency operations more efficient and effective, IT applications are the backbone to the G.A.B.'s success. The G.A.B. successfully maintains several systems and Internet websites which are related to IT:

- The Campaign Finance Information System: a web-based reporting system that allows candidates and other political committees to report contributions and expenses, allows staff to audit those statutorily required reports, and allows the public access to view the information.
- The Statewide Voter Registration System: a comprehensive election management system used by over 2,000 state and local election officials to process and update voter registration files, share data with other agencies while registering voters and detecting potential voter fraud, create and print accurate poll books, complete and document various election administration tasks, and track information about candidates and absentee ballots.
- Microsoft Dynamics CRM: applications which permit the completion of statutorily-required processes to conduct a voter record maintenance of registered voters who have not voted in the past four years, match data with the Department of Corrections, conduct an audit of felons who have voted, and track the status of provisional ballots and outstanding absentee ballots.
- MyVote Wisconsin: a website that permits electors to initiate a new voter registration and provides the general public with access to information about their own voter registration and voting history, local polling place and clerk contact information, offices on their ballot at upcoming elections, and also allows military and overseas voters to request and receive their ballot electronically.
- The Canvass Reporting System: a web-based database which is used by county and municipal clerks to report election results to the Board.
- The Wisconsin Electronic Data Collection System: a web-based database through which local clerks submit election statistics and costs of conducting elections to the G.A.B. electronically.
- BADGER Voters: a web-based application through which users may request, purchase and download voter registration and election participation data from the statewide voter registration system.
- Access Elections: a web-based application which tracks accessibility audits of polling places and provides a web-based portal allowing local clerks to view and process audit findings related to their local polling places.
- Eye on Lobbying: a web-based reporting system that has won national awards that allows lobbyists and lobbying principals to submit statutorily required reports, allows these reports and the data they contain to be publicly viewable and allows staff to conduct audits.

- Eye on Financial Relationships website: permits the general public to learn the financial relationships reported by state public officials and discover the officials who have identified a financial relationship to a specific business or organization.
- The Contract Sunshine website: permits the general public to access information about every state contract, purchase, and solicitation of bids or proposals that involves a biennial expenditure of \$10,000 or more.
- The agency's main website: hosts comprehensive and current information for local election officials, candidates and political committees, lobbyists, public officials, the media, voters and the public regarding all laws and subjects under the agency's jurisdiction, and which requires continual updating and management

Many of these initiatives and applications require a daily focus, to process requests, monitor compliance with required tasks and data entry, provide customer service and troubleshooting, and develop and implement immediate fixes and long term solutions. As noted, eliminating the ability of the G.A.B. to continue with its dedicated team of IT contract developers would affect the effectiveness and responsiveness of the agency, increase its costs, and impact the work of local election officials and other agency constituents and partners.

Funding for Increased Costs for Board Member Per Diems and Meetings

The funding request for increased costs for Board member per diems and meetings expenses was not included in the Governor's budget. The agency requested \$14,900 in FY-16 (6-inperson meetings, 2-teleconferences, 2-canvass signings) and \$19,100 in FY-17 (6-inperson meetings, 2-teleconferences, 4-canvass signings, 8-special canvass signings).

In the past four years, the number of Board meetings and the amount of preparation time it takes for meetings has increased significantly (see Attachment 2 – Board meeting costs).

In FY-15 year to date, we have already exceeded our budget by over \$11,300 and still have four-in person meetings scheduled for the remainder of the fiscal year. This will result in additional costs of between \$4,070 per meeting (daily per diem, travel and lodging expenses) up to \$5,400 (1/2 day meeting prep, daily per diem, travel and lodging expenses) per meeting. Additionally, these expenses do not include any ad hoc meetings that may occur between now and the end of the fiscal year.

Without funding in the 2015-17 budgets, the agency will have to reduce costs in other areas to ensure adequate funding for Board meetings.

Funding for Biennial Updating of Voter Registration List (Four-Year Maintenance)

Wisconsin statutes require the G.A.B. to examine the voter registration records and mail notices to voters who have not voted in the previous four-year period. 2013 Wisconsin Act 149 transferred the Four-Year Maintenance Process from local election officials to the G.A.B. The G.A.B. must mail the notices no later than June 15 following each general election. However, the legislative change did not include any appropriation for the Board's costs to identify individuals who must receive the notices or for the costs of printing and postage. The Board staff estimated in FY-17 it would cost \$96,765.

Without additional funding, the agency will have to absorb these expenses using federal funds, but will not have a mechanism to pay for this in the future once the federal funds have been exhausted.

Funding a full-time Information Technology (IT) Contractor for the Ethics & Accountability Division

An internal, dedicated IT contractor is critical to the operation of the Ethics Division. A contractor currently plays a critical role in developing and maintaining two of the Ethics Division's transparency websites:

- Lobbying System (Lobbying.wi.gov). Eye on Lobbying was partially developed by DET in 2011, but had to be completed by our current IT Contractor, who currently maintains and enhances the application, including development of the FOCUS subscription service. It is hosted on state web servers.
- Statement of Economic Interest System (ethics.state.wi.us/EOFR/Pages/). Eye on Financial Relationships was developed many years ago, and allows users to explore some data contained in SEI filings without permitting online access to the actual SEI forms. It is currently hosted by a private vendor and maintained by our current IT Contractor. The system is functionally obsolete and needs to be overhauled to permit online filing of SEI forms and better display of information in the system.

Additionally, the IT contractor assisted program staff in creating the new internal database for tracking complaints and investigations in both the Ethics and the Elections divisions. There is no external website associated with this database, which is maintained on secure state servers.

Finally, the contractor has a smaller role in troubleshooting for the division's Campaign Finance Information System (CFIS.wi.gov), which was developed in 2008 by a private vendor (PCC), and is maintained through a monthly service contract. It is hosted on state web servers. As the agency looks for operational efficiencies, it may be possible to transfer some maintenance from PCC to our internal IT contractor.

The Ethics Division hopes to modernize its IT applications using lower-cost technology to improve internal processes and reduce administrative costs. In order to do that, we need to upgrade the SEI system. Without funding for an internal IT contractor, that modernization will likely never happen. As a result, the division will be forced to continue to rely on a paper-based SEI filing system, and may need to discontinue its Eye on Financial Relationships website. Also, the division may need to significantly reduce support for the Eye on Lobbying application that provides vital information to the general public and serves Legislators, lobbyists and principals.

These costs cannot be absorbed in the existing budget, nor do we feel confident relying on DOA/DET for our IT needs. The agency would also need a revenue stream to pay for DOA/DET to provide these services. DOA/DET would likely contract out these services as it has done with our previous IT projects. In the past, we hired DOA to create our new lobbying database; however, they were unable to complete that project on time or on budget. As a result the Division was forced to hire the current IT Contractor to complete the project, and has been highly satisfied with her services.

Recommendations

Alternative 1: The Board could go on record supporting a DOA feasibility study of a Shared Agency Services Pilot Program to determine if this approach is viable. In the event that the Legislature proceeds with the Shared Agency Services Pilot Program, the Board could request that the Government Accountability Board be exempt from the pilot because of the adverse operational impacts to the agency, and the Legislature not eliminate G.A.B.'s administrative services personnel until the study has been completed.

Alternative 2: The Board could ask the Legislature to consider the deletion of only one G.A.B. financial position, since each of our financial positions provide 50 percent program duties that fall outside of the administrative functions being provided by the pilot implementation. These duties will not be able to be absorbed by existing staff.

Attachments (2)

Tasks of Financial Specialist Responsibilities Adversely Impacted:

1. One of the worst impacts will be a reduction in **general efficiency** between program staff in the Elections and Ethics divisions and the two financial staff. This affects nearly all areas of work of the Financial Specialist. For example, **purchase order processing** will likely take longer as program staff would be completely separated from financial staff. One prime example is the requisition of temporary staff for the Accessibility Audit. This occurs every time there is an election in the state. A month before the election, the Financial Specialist contacts temporary staffing agencies to request staff for the election. Program staff evaluates and interviews each candidate for the project, and frequently those interviews occur up to the day before the training is to begin. We frequently don't know exactly how many staff will be working on the project until the day before it is to start. It would be difficult to evaluate temporary staff any earlier because of the unique training and work requirements of this project. If a purchase order is needed to be written even a few days before the project is to start, it would most likely reduce the number of temporary staff hired for the project. With the elimination of this position, communication between program staff and procurement staff would be slower and disconnected, and will adversely impact the results of the project.
2. Processing of **unique or special payments** will take longer. The Financial Specialist frequently receives requests for special or unique payments. For example, a party may pay their annual filing fee, but misinterpret how much they are required to pay. The Financial Specialist pulls out this check either to be returned, or deposits the check and then processes a payment to that group to refund them the amount they were not required to pay. This is currently an easy process, though without financial staff in the office it may be more difficult to have a refund processed in a timely manner.
3. In addition to reduced efficiencies in processing unique invoices, processing invoices for telecommunications and other **recurring monthly payments** will be disrupted. These payments are adjusted each month depending upon staffing levels and vacancies. Each month, the allocation of the payment is evaluated. If staff leave, or new staff are hired, these changes need to be reflected in the monthly payment. Financial staff is always aware when staff leaves or new staff are hired, making it intuitive to make these adjustments every month. This process will be extremely difficult if outsourced financial staff is not aware of staffing changes each month. Issues or changes that need to be made to the monthly General Services Billing (GSB) will also be adversely affected, and incorrect billings may not be noticed until much later, or worse, at the time of audit. The GSB is carefully reviewed and audited each month by financial staff, and correcting edits are frequently made. It's not uncommon for DOA to overbill our agency for printing, hardware servers, and/or services, and financial staff tracks each monthly payment, making it easy to note any significant changes, and bring these changes to the notice of program staff who can verify if the changes are correct. Also, changes to the IT billing are occasionally made and financial staff verify with IT staff that those changes are appropriate.

4. Another process likely to be impacted significantly is preparing **deposits**. Currently, checks are received by program staff, recorded, and then submitted to financial staff to be deposited. It is unclear how this process would change, but would be much more inefficient if there are last minute changes that need to be made. If checks were sent directly to the Department of Administration, program staff would have difficulty assessing who has paid, and who needs to pay various fees.
5. Another area that would be affected is the **purchasing card program**. Currently, non-financial staff cardholders receive statements from financial staff every two weeks. It is unclear how this process would change, and the auditing of this program may become delayed if services are moved to DOA. The Financial Specialist prints out payment vouchers every other week and hands them out to program staff for reviewing transactions and attaching receipts. Another task is to regularly reclassify payments on purchasing cards to other more appropriate object codes and/or organizational codes.
6. The **Contract Sunshine** website is currently administered by the Financial Specialist, and all duties related to maintenance, certification, and training would need to be picked up by another staff member. The additional program responsibilities that will be required of program staff are simply tasks that cannot be absorbed. This program is statutorily mandated, and currently there is no clear program staff that would be available to pick up this task. Certification is a quarterly process where each agency submits a certification verifying that they have entered all necessary purchases into the system. This is a multi-week process, which requires monitoring and multiple emails to ensure each agency returns the certification. Also, staffing changes at the agencies that make entries on the website need to be made frequently. Troubleshooting issues with the website also need to be done in a timely manner, to ensure that the information is available and accurate. Training new staff is also an important aspect of this program to ensure the users know what should be reported, and how that reporting process works.
7. **Forms and records management** is also administered by the Financial Specialist, and those duties would need to be shifted to another staff member. The Records Management Taskforce began the process of reviewing and updating the agency's records management policies and records disposition authorizations (RDAs). This is an important and time-consuming task that deserves more attention. With no staff to maintain records management for the agency, records that could be disposed of may be held for longer than necessary. Records being held at the State Records Center will not receive timely attention and stay at the center, costing the agency unnecessary retention fees.
8. **Training accessibility audit program and temporary help staff** on filling out travel reimbursement forms before each primary, spring, and fall election, reserving hotel rooms for overnight auditors, and then reviewing and auditing each travel reimbursement form for compliance with statutory travel policies. Without a financial person performing this work, our agency would not be statutorily compliant. **Background:** Over the course of four statewide

elections in 2014, G.A.B. accessibility auditors completed audits of 571 polling places in 420 municipalities in 33 counties. G.A.B. staff hired and trained fifty temporary workers to conduct onsite accessibility compliance audits, a program that is unique in the nation. Currently, the financial specialist assists this program in obtaining the staff, as well as training them on filling out travel reimbursement forms. These tasks would need to be shifted to other staff if the financial specialist were no longer available.

9. Other monthly/reoccurring tasks: Minority Business Enterprise payments need to be reported monthly, and this task is currently handled by the Financial Specialist. Monthly reconciliation is also processed by the financial specialist, ensuring that there are not payments or deposits entered incorrectly. The financial specialist also approves all orders for Staples/office supplies. Maintenance of the PFR Use Codes also falls under the responsibility of financial staff, and need to be updated and maintained frequently. When new reporting categories become available, new codes need to be created and updated in various places.

Tasks of Accountant Responsibilities Adversely Impacted:

Processing Grant Applications and Award Documents – The G.A.B. was awarded a Federal Voting Assistance Program (FVAP) competitive grant on March 5, 2012, and our Accountant was integrally involved with the pre-award work such as determining the number of positions needed, their salaries & fringe benefit projections, the anticipated supplies & services costs, and writing up the grant application for filing with the U.S. Department of Defense (DOD). As part of the post-award orientation, our Accountant registered the G.A.B. on the federal website to electronically claim monthly reimbursement of our FVAP \$ 1.9M grant expenditures, and then met with federal Defense Contract Management Agency (DCMA) personnel. Our Accountant set up an FVAP budget *Excel* file, booked budget projections into WiSMART (the state's accounting system), and assisted with the remote site facility configuration and supply & service purchase requests.

Each month, federal staffing changes are tracked, reimbursements are calculated and claimed with required proof of payment, incoming wire transfers are coordinated with DOA-Treasury staff, and journal entries are prepared & booked to record revenue receipts. The Wide Area Work Flow (WAWF) website's registration must be periodically renewed, to allow for continuing reimbursements of our monthly expenditures. Our Accountant continues to work closely with the federal DCMA offices in Milwaukee & Ohio, claiming monthly reimbursements of our agency FVAP expenditures using the WAWF online system, and then preparing monthly cash receipt journal entries in WiSMART. Several DCMA & DOD personnel are supposed to review each voucher claim and approve it for reimbursement to the GAB, but constant monitoring, periodic follow-up, and troubleshooting technical problems is needed to ensure the timely receipt of these federal revenues. Ongoing program compliance with the grant award agreement involves calculating budget reclassifications for additional I.T. costs, preparing and filing the quarterly Federal Financial Report Form SF-425 with the DOD, and communicating budget-to-actual

operating results to management. Without a financial person performing this work, our agency would neither be statutorily compliant nor federally compliant, risking fines, penalties and reimbursement delays. **Background:** The G.A.B. was successful in applying for and securing a \$1.9 million dollar nationally competitive grant application that was submitted to the U.S. Department of Defense, Federal Voting Assistance Program (FVAP). Grant funds enabled the State to provide significantly improved customer services to the State's military and overseas voters, by supporting the development of an Online Absentee Ballot Delivery System for these electors. This new system allows military and overseas voters to access their voter information and an absentee ballot on their own schedule with immediate turnaround. These improvements facilitate the State's capacity and ability to serve our military and overseas voters more efficiently and effectively. The online absentee ballot delivery system also enables Wisconsin to comply with the Federal MOVE Act and with the 2011 Wisconsin Acts 45 and 75 regarding the Presidential Preference Primary and the Partisan Primary. This grant award expires in November 2016, at which time our Accountant will have to close it out, return any unspent monies to the federal government, adjust our financial records accordingly, and then prepare for the federal audit.

As another example, our Accountant also worked closely with U.S. Election Assistance Commission (EAC) personnel, U.S. Bank staff, and DOA-Treasury on the anticipated receipt of the federal HAVA 251 Requirements Payments grant award and subsequent electronic ACH wire transfer. This \$ 1,285,090 cash grant was awarded from the 2011 federal program fiscal year and has been invested until needed to fund HAVA 251 maintenance requirements. Monthly interest calculations are also required to properly allocate interest earned on this cash grant and all other federal HAVA cash balances, in compliance with federal regulations and in anticipation of future federal audits.

In summary, our Accountant is integrally involved with each of the following federal program grant phases:

- **Pre-Award Phase:** Developing programmatic goals and objectives consistent with laws, regulations, Congressional intent, and agency leadership priorities.
- **Award Phase:** Negotiating award conditions and grant agreement, then informing program staff of their obligations through a legally enforceable document. For example, our Accountant reviewed the Wisconsin audit report for negative findings, to negotiate the lifting of special conditions.
- **Post-Award Phase:** Monitoring grantee's financial and programmatic performance and compliance with applicable Federal laws, regulations, and policies for financial and program requirements.
- **Close-out Phase:** Ensuring that any unliquidated funds are returned to the Federal Government; any assets are disposed of in accordance with grant requirements; and all steps to end the awardee's obligations to the Federal Government have been taken.

Grants Management and Compliance - Our agency Accountant compiles and reconciles each annual federal HAVA report for six grants & programs, which are then reported to the U.S. Election Assistance Commission (EAC), the U.S. Department of Health and Human Services (DHHS), the Defense Contract Management Agency (DCMA), and the U.S. Department of Defense (DOD), specifically:

1. **HAVA Section 101** - Our agency Accountant compiles and reconciles the HAVA Section 101 Federal Financial Report (FFR), due by December 31 for each federal fiscal year ending September 30, then works with other program staff on the report narratives which describe in detail how the funds were spent. Financial data from two separate state Financial Information Reporting System (FIRSt) queries must be carefully combined to report transactions for the full federal fiscal year ended September 30. This FFR requires our agency to report total federal funds authorized, inception-to-date expenditures, unliquidated obligations, unobligated balances, the state share (match & program income), interest earnings on the cash balance, and any indirect costs of our HAVA Section 101 grant program. Without financial staff constantly monitoring this program grant, our agency would be at audit risk for comingling of funds and noncompliance with time & effort (personnel) costs and other direct cost allocations. Each report must be filed as specified in the grant agreement otherwise noncompliance is subject to fines and penalties, and potential re-payments out of scarce GPR funds. Significant operating results, budget-to-actual variances, and proposed budget changes must be reported to agency management at least quarterly. **Background:** Federal HAVA Section 101 grant program monies are only to be spent on the improvement of elections administration, which includes the training and certification of county and municipal clerks on current election laws and procedures. More detailed HAVA 101 background can be found in the Election Administration Major Achievements document for the 2014 Calendar Year.
2. **HAVA Section 102** - Financial staff also previously filed each annual Federal Financial Report for the HAVA Section 102 grant program, and then closed out this grant and returned the unspent funds to the federal government. **Background:** Federal HAVA Section 102 grant program funds were only to be spent on reimbursing municipalities for the replacement of punch card and lever voting machines. This program is now closed, and the remaining unobligated fund balance of \$ 302,541 was returned to the U.S. Elections Assistance Commission in early December, 2012.
3. **Election Data Collection System Grant** - The Accountant is also following up on a \$200,686 outstanding receivable from the federal government, due our agency from the \$2 million Election Data Collection grant, but held up by the federal audit. Without a financial person following up on collecting this receivable, our agency would not be statutorily compliant, and would be forced to reimburse this federal grant program using scarce GPR monies. **Background:** In May 2008, the U.S. Election Assistance Commission awarded Wisconsin a

\$2 million federal grant, to improve the State's ability to collect election data at the most local levels. Of the five states to receive Elections Data Collection Systems grants, Wisconsin was the only state to timely produce a comprehensive Elections Data Collection System. The Wisconsin Election Data Collection System (WEDCS) is an online database for municipal clerks to report election statistics within 30 days of each statewide election, or within 45 days of a general election. Statistics include the number of voters, voter registrations, types of voting equipment used, and election costs. Previously, clerks reported statistics on the paper form GAB-190. This grant program was for the term of May 28, 2008 through June 30, 2009, however the Wisconsin Government Accountability Board was awarded a no-cost extension until December 31, 2010. This was a reimbursable grant, but \$200,686 is still due the GAB, which our staff has requested of the U.S. Elections Assistance Commission (EAC) several times. The federal HAVA audit, which had been delayed by the U.S. Office of Inspector General (OIG), was most likely holding up release of these funds. Our Accountant has once again respectfully requested reimbursement of these final grant program expenditures, now that the federal audit was recently dropped.

4. **HAVA Section 251** - The Accountant compiles and reconciles the HAVA Section 251 Federal Financial Report (FFR), due by December 31 for each federal fiscal year ending September 30, then works with other program staff on the report narratives which describe in detail how the funds were spent. The Accountant combines financial activity and balances from reporting categories H251, 251V, 2518, 2519, and 2510, by running ten separate state Financial Information Reporting System (FIRSt) queries, and then carefully combining the amounts to report transactions for the full federal fiscal year ended September 30. This FFR requires our agency to report total federal funds authorized, inception-to-date expenditures, unliquidated obligations, unobligated balances, the state share (match & program income), interest earnings on the cash balance, and any indirect costs of our HAVA Section 251 grant program. Program income is significant, generating \$ 255K during general election years, which can only be used to further this specific federal program. Without financial staff constantly monitoring this program grant, our agency would be at audit risk for comingling of funds, along with noncompliance of personnel costs, direct cost allocations, federal program income violations, and Federal Funding Accountability and Transparency Act (FFATA) sub-grant reporting requirements. Just the time & labor payroll calculations alone take almost 190 hours each fiscal year. Each report must be filed as specified in the grant agreement otherwise noncompliance is subject to fines and penalties, and potential re-payments out of scarce GPR funds. Significant operating results, budget-to-actual variances, and proposed budget changes must be reported to agency management at least quarterly. **Background:** Federal HAVA Section 251 grant funds are only to be spent on the Statewide Voter Registration System (SVRS). More detailed background can be found in the Election Administration Major Achievements document for the 2014 Calendar Year.
5. **HAVA Section 261** - Our Accountant also compiles and reconciles the federal HAVA Section 261 Accessibility revenue and expenditure amounts for those three annual Federal Financial

Reports, normally due December 31 for the federal fiscal year ending September 30, and then forwards these reports to the Elections Division for incorporation with the narratives. These Section 261 reports were filed by October 31 though, since one of the allotment years was fully expended by July 31, triggering an earlier 90-day reporting requirement. The accounting for Section 261 receipts and expenditures has now been fully transitioned to the federal fiscal year 2010 allotment of \$ 201,091. There were a total of nine federal allotment years granted our agency. These are not cash grants however, so each grant must be set up as an electronic withdrawal within the Federal Cash Management (FCM) system, to allow for daily revenue draws as Section 261 expenditures are paid. In other words, the state pays these expenditures upfront, and is then reimbursed within two to three days via the FCM system. Consequently, there are five monthly FCM system reports for Section 261 Accessibility expenditures and revenues activity, which need to be reviewed and tied out each month, along with any unreconciled transactions and timing differences noted. Without financial staff providing program assistance for this program, our agency would be at risk for noncompliance with cost allocations, time & effort reporting, funding language, federal lobbying certification requirements, and Federal Funding Accountability and Transparency Act (FFATA) sub-grant reporting requirements. **Background:** Over the course of four statewide elections in 2014, G.A.B. Accessibility auditors completed audits of 571 polling places in 420 municipalities within 33 counties. G.A.B. staff hired and trained fifty temporary workers to conduct onsite accessibility compliance audits, a program that is unique in the nation. Other Accessibility program work includes voting equipment security checks; creating and disseminating public education and outreach materials in partnership with the Wisconsin Disability Vote Coalition; enhancing the data analysis of Accessibility audit results; providing for accessibility supplies; improving the accessibility survey; and collaborating with the Accessibility Advisor Committee on compliance efforts and maintaining communication with the community. Our financial staff even proofed the Disability Rights Wisconsin accessibility voting guide, added federal compliance language, and secured the required legal lobbying certification. Financial staff also works with Department of Administration - Treasury personnel to switch the Section 261 fully-expended allotment year reporting category ledger account over to the next federal allotment year reporting category within the Federal Cash Management system, Purchase Plus, and WiSMART, so as to continue receiving federal reimbursements of our Section 261 Accessibility program expenditures. Final expenditures must be closely monitored at the end of each federal fiscal year ending September 30, along with processing change orders and liquidating encumbrances, to officially close out each grant and its reporting category ledger account. The ledger accounting is then fully transitioned to the next reporting category for each new federal fiscal year allotment.

6. **Federal Voting Assistance Program Grant** - The agency Accountant prepares and timely files an interim financial report Form SF-425 with the U.S. Department of Defense (DOD) each quarter, reporting inception-to-date expenditures, unobligated balance, program income, and any indirect costs of our Federal Voting Assistance Program (FVAP) grant program. Each report must be filed within 30 days after the end of each quarter, as specified in the grant agreement

otherwise noncompliance is subject to fines and penalties, and potential reimbursement delays. Significant operating results, budget-to-actual variances, and proposed budget changes must be reported to agency management at least quarterly. An annual Report of Inventions must also be filed with the DOD. Another DOA reporting requirement is the FVAP segregated revenue overdraft amount as of each fiscal year-end, along with an explanation as to how it's covered by a federal accounts receivable (reimbursable in arrears). **Background:** The G.A.B. was successful in securing a \$ 1.9 million dollar nationally-competitive grant which was funded by the U.S. Department of Defense, Federal Voting Assistance Program (FVAP). Grant funds are enabling the State to provide significantly improved customer services to the State's military and overseas voters, by supporting the development of an Online Absentee Ballot Delivery System for these electors. This new system allows military and overseas voters to access their voter information and an absentee ballot on their own schedule with immediate turnaround. These improvements facilitate the State's capacity and ability to serve our military and overseas voters more efficiently and effectively. The online absentee ballot delivery system also enables Wisconsin to comply with the Federal MOVE Act and with the 2011 Wisconsin Acts 45 and 75 regarding the Presidential Preference Primary and the Partisan Primary. This grant award expires in November, 2016, at which time our Accountant will have to file a final Federal Financial Report (FFR), close out the grant, return any unspent monies to the federal government, adjust our financial records accordingly, and then prepare for the federal audit.

7. **Schedule of Expenditures of Federal Awards** for the Legislative Audit Bureau (LAB) – Staff is statutorily required to compile and reconcile this grant schedule for every federal program at each fiscal year-end. This annual schedule is requested by the LAB for their use in auditing the federal financial assistance received by the State of Wisconsin, which is then compiled with all other agencies into a statewide Schedule of Expenditures of Federal Awards. Reported on this schedule were federal revenues of \$508,228 and expenditures of \$ 2,773,785 which included \$86,783 voting equipment reimbursements provided to sub-recipients, for the state fiscal year ended June 30, 2014. Without this work, the GAB would be noncompliant with federal grant awards reporting requirements.
8. **Logging & reporting staff time worked on special projects**, such as the following:
 - A. **Voting Equipment Testing** hours must be carefully logged, monitored, and calculated by equipment version, then compiled along with related supplies & service costs for billing the equipment manufacturers. These labor costs (salaries & estimated fringe benefits), plus ancillary costs are reimbursable per the vendor recovery agreement. Subsequent receipts must be carefully accounted for as a refund of expenditures, spread across various federal & state programs. **Background:** Manufacturers must subject their voting equipment for testing by individual states that perform rigorous testing of this equipment, as part of the U.S. Election Assistance Commission federal rules with regards to certifying voting equipment before use in the State of Wisconsin. G.A.B. staff worked closely with voting equipment manufacturers, such as Dominion and Election Systems & Software (ES&S), and

local election officials from pilot municipalities to test several new pieces of voting equipment to be considered for approval by the Board for use in Wisconsin.

- B. Payroll Adjusting Entries** – Our agency Accountant calculates and books payroll adjusting entries each quarter, to properly allocate salaries and fringe benefits between numerous federal and state programs and coordinates preparation of required federal timesheets consistent with OMB A-87 requirements. Federal timesheet information is audited bi-weekly, personnel cost allocations are calculated quarterly, and then booked before the end of each fiscal quarter for all federally funded positions. Staff must also take into account several payroll funding changes within the payroll system, to account for federal employee assignment changes, new hires, to replace the fully-expended H251 reporting category with the next 2518 requirements payments reporting category, and for staffing transfers between programs. Our Accountant is expected to use direction and guidance from federal regulations to remain in compliance. Under the present transformed federal uniform grant guidance, the rules that governed three different types of organizations are now in one circular that covers grants administration for all types of federal grant recipients. The manner in which local governments, institutions of higher education, and nonprofit organizations had to certify federal effort under OMB Circulars A-87, A-21, and A-110 now must be adjusted to Title 2, Code of Federal Regulations §200.430(i) Standards for Documentation of Personnel. The Accountant must interpret these voluminous federal guidelines and determine whether they mean new controls, or perhaps an easier means to document the time and effort for our respective employees who work on, and are paid from, federal grants. While the effort certification process may be different, recipients such as the GAB must still demonstrate that charges to federal awards for salaries and wages are based on records that accurately reflect the work performed, and those records must comply with ten particular requirements in the OMB Circular if they want to avoid audit findings. One related goal is to implement the *PeopleSoft* enterprise software system, which will eventually achieve our objective of automating the time distribution of our federal employees, so as to immediately pay out of the appropriate federal or state fund, and thereby eliminate another manual effort of calculating and booking salary & fringe adjustments. This project implementation will require an Accountant to set up the coding, audit the time worked and resulting transactions, and verify the postings to each ledger account, ensuring compliance with federal grant program regulations and future audits.
- C. I.T. Service Time by Program** – Staff also calculated and booked the fiscal year-end I.T. service time adjusting entries, to properly allocate outside professional service costs between federal and state programs. Financial staff also calculated and monitored GPR salary savings from vacant and reduced positions, for purposes of fiscal year-end budget planning.
- D. Recall Elections Time Worked** – Identified future expenditures for the 2012 recall elections and assisted with the recalls cost projection for an emergency funding request to the Joint Committee on Finance (JCF); added a Recalls line item to federal and state

timesheets, then trained staff on how to report this time; logged existing staff time and calculated wages & fringe benefits spent on the Recalls process and Voter ID implementation. Continue to log existing staff time and calculate wages & fringe spent on recalls process for possible 13.10 emergency funding requests to JCF for agency costs expended and encumbered.

- E. **I.T. Contractor Time and Internal Employee Labor (Salaries & Fringe) Costs** expended on SVRS Maintenance vs. Modernization project work must be carefully logged and tracked, for the statutory reporting of I.T. project plans in excess of \$1 million. Without a financial person performing this work, our agency would not be statutorily compliant.

Background: Significant work has been completed on staff's efforts to redesign the Statewide Voter Registration System (SVRS), to take advantage of modern design philosophies and provide greater ease of use and improved data quality. IT staff has created a development server environment with Microsoft Dynamics CRM (2013), which will be the underlying framework for the new system. Staff is using this development server to work on this new system layout. Primary navigation systems have been developed, as well as the screen template, which will be used throughout the system. Security roles have been developed to cover a variety of use-case scenarios, and fundamental jurisdictions and districts have been built into the system. The remainder of the system has been divided into four sections, each being analyzed and developed by its own staff team: Voter, Elections, Absentee and Districts. Voter and Absentee functions are nearing completion, allowing staff to focus more resources on the Elections node, which will be the largest section of the new system. Staff met on September 18, 2014 with representatives from Microsoft who reviewed the developments as of that date. The representatives were impressed with what had been developed so far, and offered tips and recommendations for staff to consider during the remainder of development.

9. **Federal Funding Accountability & Transparency Act** - Our Accountant is responsible for the monthly monitoring and reporting of sub-awards from three qualified American Recovery and Reinvestment Act of 2009 federal grants, in compliance with the U.S. Federal Funding Accountability & Transparency Act (FFATA). Prime Contractors who were awarded a federal contract or order that is subject to Federal Acquisition Regulation clause 52.204-10 (Reporting Executive Compensation and First-Tier Subcontract Awards) are required to file an FFATA sub-award report by the end of the month following the month in which the prime contractor awards any subcontract greater than \$25,000. The G.A.B. is responsible for reporting qualified federal sub-awards paid from the HAVA Section 251 grant for the 2010 Requirements Payments, from the HAVA Section 261 grants, and from the Federal Voting Assistance Program (FVAP) grant, using SharePoint updates on a DOA website. **Background:** The Federal Funding Accountability and Transparency Act (FFATA) were signed on September 26, 2006. The intent is to empower every American with the ability to hold the government accountable for each spending decision. The end result is to reduce wasteful spending in the

government. The FFATA legislation requires information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website, which is www.USASpending.gov. The FFATA Sub-award Reporting System (FSRS) is the reporting tool which federal prime awardees (i.e. prime contractors and prime grants recipients) use to capture and report sub-awards and executive compensation data regarding their first-tier sub-awards to meet the FFATA reporting requirements. Prime contract awardees will report against sub-contracts awarded and prime grant awardees will report against sub-grants awarded. The sub-award information entered into FSRS will then be displayed on www.USASpending.gov associated with the prime award, furthering Federal spending transparency.

Wisconsin Statutory Programs and Compliance:

- 1. Property Value Inventory of Insurable Equipment** - Both the Accountant and Financial Specialist review and report the annual property value inventory of insurable equipment owned by the agency, for purposes of properly insuring agency assets against property damage. They've researched and answered questions of the State Budget Office about the residual ledger balance in the transferred-out Election Campaign Fund, which was eliminated by 2011 Act 32. The Department of Administration (DOA) also requested and received a compilation of historical service costs paid to DOA for GPR, PR (federal and state), and/or Segregated Federal charges, for purposes of updating the federal funds participation rates for the state's share of excessive balances and/or lapses when they arise.
- 2. Voting Equipment Audit Program:** Our financial staff audits and processes a high volume of reimbursement requests from municipalities in Wisconsin. The costs to audit voting equipment are reimbursable under the federal HAVA 101 grant program and each municipality is reimbursed by the GAB. **Background:** After each General Election, the G.A.B. is statutorily required to audit the performance of each type of electronic voting equipment used in Wisconsin and determine the equipment's error rate in counting valid ballots. In a public meeting on November 7, 2014, Board staff randomly selected one hundred reporting units as a base sample and augmented that sample with additional reporting units until each currently certified voting system used in the State of Wisconsin was represented by at least five reporting units (except the Populex system which is only used in two reporting units in the state). The final sample set contained 106 reporting units in 78 municipalities. At that same meeting, staff also selected the contests to be audited in addition to the Governor's contest. As a result of random selection, the contests for Attorney General, State Treasurer and Sheriff were included in the audit. As of December 23, 2014, all 78 municipalities have published their audit notices and held their audit. Of those, 74 have submitted their audit results to the G.A.B. Staff has reviewed 65 of the audits and found 43 of them to be acceptable. Twenty-two are awaiting additional information to clarify or verify audit results. Pursuant to the Help America Vote Act (HAVA) and Wis. Stat. § 7.08(6), the G.A.B. ordered the audit of a random sample of each voting system that is currently in use in Wisconsin. One hundred reporting units were selected and notified of the audit requirement. This audit is designed to assess how the electronic voting equipment

performed on Election Day, by comparing the system's vote totals with the actual ballots cast by voters to ensure the system maintains an accurate tally. These audits are required to be conducted publicly, and are subject to and performed in compliance with the federal HAVA Section 101 grant agreement and provisions.

3. **Accessible Voting Equipment Reimbursement Program:** Our financial staff audits and processes each accessible voting equipment reimbursement request from municipalities across the State of Wisconsin. The costs of replacing older, inaccessible voting machines, along with related equipment, maintenance, and programming costs are partially reimbursable by the G.A.B. under the federal HAVA 251 grant program. **Background:** G.A.B. staff concluded the reimbursement grant process for accessible voting purchases in 2014. As required by the Help America Vote Act of 2002 (HAVA), all municipalities were required to provide accessible voting equipment for individuals to vote privately and independently. Staff began the reimbursement process in 2005 and continued the reimbursement process until August 31, 2014. Staff continued the grant process for an extended time as many municipalities had remaining funds available that were set aside for the purchase of a voting equipment tabulation device that ultimately never received federal certification. Most municipalities which had funds set aside were able to claim reimbursement for other related accessible voting equipment costs, such as maintenance and programming costs. Each municipality was eligible to receive up to \$6,000 for each polling place within the municipality established by 2005. Since the inception of the program, G.A.B. staff has processed requests for and distributed a total of \$15,355,000 in federal funds to municipalities throughout Wisconsin.
4. **Voter ID Public Outreach Program** – Financial staff were integrally involved in Voter Photo Identification (ID) Outreach and Other Legislative Changes. **Background:** The G.A.B. implemented Wisconsin Act 23, the Voter Photo ID Bill, which became law on June 9, 2011 and fully effective with the February 21, 2012 Spring Primary. Act 23 was a sweeping change in the State's election administration. From making presentations to the Legislature starting in January 2011 until the bill became law on June 9, 2011, through a team approach, G.A.B. staff implemented a comprehensive strategy that included the development of educational materials and tools for administering the Voter Photo ID Law. To educate the public about this significant change, the G.A.B. launched a statewide media education/informational campaign which included television ads, radio spots, and print media. The theme of this public campaign was "Bring it to the Ballot!" Other program work included selecting RFP contractor(s) & ultimate vendor, contract management, deciding on advertising media content, working with vendor on public service announcements, TV ads, brochures, etc.
5. **Program Staffing Assistance** – Financial staff assists with reviewing application materials for open vacancies, schedule interviews, and conduct first round of interviews with candidates.
6. **Statements of Economic Interest** – Financial staff assist the Ethics Division by processing Statements of Economic Interest, thereby saving the agency money by not having to hire LTE's or temporary staff.

7. **MyVote Wisconsin Usability Study** – Financial staff assisted with the development of a comprehensive MyVote Wisconsin website. **Background:** For the first time, Wisconsin voters can use the G.A.B.'s voter portal to answer basic questions about their voter registration status and generate a voter registration form that can be signed and delivered to their local municipal clerk. All data gathered on the website is fed directly into SVRS and electronically accessed by local election officials. This new workflow allows for more efficient and accurate registration information without the need to hand-key voter registration forms. The system automatically adjusts the instructions applicable to the voter based on registration deadlines and provides voters with the correct municipal clerk to send or hand-deliver their form to. Voters can use this system 24 hours a day, 7 days a week, and 365 days a year.
8. **Nomination Papers Processing** – Financial staff assisted the elections division with processing candidate nomination papers, including nights and weekends, in order to meet the statutory due date. **Background:** For the spring nonpartisan elections and the fall partisan elections, G.A.B. staff assisted candidates with the filing of ballot access documents. Staff completed the review of nomination papers submitted by candidates for state and federal offices (52 candidates for the Spring Election and 316 candidates for the General Election) and made recommendations regarding Board certification of candidates or denial of ballot access. Staff also processed and evaluated challenges to nomination papers as well as appeals regarding decisions of local filing officers. The compressed statutory timeline for review of challenges to nomination papers of partisan candidates required extraordinary effort of numerous staff to complete the analysis and recommendations for Board consideration.
9. **Recall Petitions Processing** – Financial staff were heavily involved in the 2011 and 2012 recall elections process, working nights and weekends to meet statutory deadlines. Without their help, our agency would have incurred additional temporary staffing costs and/or missed the deadlines. **Background:** The G.A.B. successfully reviewed approximately two million petition signatures for the recall of the State's Governor, Lieutenant Governor and four State Senators during 2012. This detailed, highly public profile and time-sensitive task was a huge and complex undertaking with no model available to address the scope of the unprecedented responsibility. Operating policies, procedures and standards had to be developed for the quality assessment and successful review and analysis of the 2012 Recall Review Process. This task was performed under the scrutiny and watchful eye of an interested and curious public, via a video feed that was available nationwide. Asking financial staff to assist with these petitions saved the agency money, by not having to hire and train more temporary staff or LTE's to meet the statutory deadline for validating recall petition papers.
10. **Voter Assistance during Spring & Fall Elections**, including phone coverage, looking up voter information on MyVote & SVRS, and answering Election Day Registration and Proof of Residence questions on Election Day. Staff also assisted in answering questions of voters about their polling locations, voter registration, and proof of residence during the general election held Tuesday, November 4.

11. **Federal & State Program Audit Defense**, including audits performed by the U.S. Office of Inspector General, the State Legislative Audit Bureau, and the State Department of Administration. The Legislative Audit Bureau (LAB) released its single audit report for the fiscal year 2012-2013. The G.A.B. was included in the scope of the federal compliance portion of the single audit, but was not one of those eight state agencies that administered a major federal program being audited during the fiscal year 2012-2013. The LAB has submitted the single audit report on our behalf to the federal government. Financial staff also reviewed the Voter ID historical expenditures and provided an update to the Legislative Fiscal Bureau. The Legislative Audit Bureau requested and received a sampling of federal time sheets for review, along with answers about expending our agency's state match requirements, in conjunction with the agency audit. Our Accountant also assists with responses and resolutions to state audit report findings, such as the balance sheet account reconciliation of HAVA & GPR travel vouchers, which hadn't been prepared by non-financial staff for several years. Our Accountant reconstituted the procedure whereby all GAB federal and state balance sheet accounts are analyzed monthly for any accounting variances.
12. **GAB Internal Controls Plan** – Financial team members work closely with program staff to update the G.A.B.'s internal controls plan, then process the annual statutory certification of internal controls and timely file this plan with both the Department of Administration Secretary's Office & the State Controller's Office. The most recent version consists of 189 pages. Without a financial staff person performing this work, it would not be accomplished, risking fraudulent transactions and activities.
13. **Proper Classification of Federal and State Program Charges** – Financial staff periodically prepare and book journal entries to re-class purchasing card expenditure object codes and to properly allocate both monthly interest earnings and mixed usage server costs to their appropriate federal or state programs. Monthly DOA General Service Billing charges are monitored for erroneous desktop/laptop charges and audited prior to payments being processed, while rent and utility cost allocations are updated for any payroll funding changes and for possible funding stream expiration. For example, refunds of \$8,000 for erroneously-billed PC support charges were requested, while a storage hosting rate overbilling error of \$1,241 was recently caught and a refund also requested.
14. **Compile Fiscal Estimates & Re-estimates** – Financial staff are frequently called upon to compile fiscal estimates and re-estimates. **Background:** G.A.B. staff provides information and answers questions from legislators and legislative staff regarding legislative proposals, as well as specific inquiries from legislators and constituents regarding application of election laws. G.A.B. staff drafted and presented testimony for numerous legislative hearings, and submitted two fiscal estimates at the request of the Legislative Fiscal Bureau during 2014. G.A.B. staff also participated in a full-day conference regarding elections technology sponsored by the National Conference of State Legislatures held in Sun Prairie in June. The conference brought

together legislators and staff involved in elections law with local election officials. G.A.B. staff prepared and presented a video summary of G.A.B. technology systems as well as remarks regarding significant aspects and challenges of election administration in Wisconsin.

15. Prepare budget projections for the agency's biennial budget for each of the following:

- Federal HAVA Sections 101, 251, and 261 programs
- Federal Voting Assistance Program (FVAP), which is accounted for as a GPR federal aid appropriation
- State GPR and PR program estimated revenues and projected expenditures for six appropriations

Our financial staff finalizes the federal HAVA Sections 101, 251, 261 & FVAP budget projections for each state fiscal year and loads the appropriations for GAB salary & fringe into the *WiSMART* accounting system. The *WiSMART* Federal Aid Inference Tables (FAIT) for all federal grants is updated, and coordination with DOA Treasury to provide for revenue reimbursements from each new accessibility allotment year via the Federal Cash Management (FCM) system is affected.

16. Serving as Treasury Liaison to set up and maintain the e-payment applications for both the State Lobbying fees & the Federal SVRS voter data revenues. While more efficient and less risky than paper checks, research must be performed when a customer overpays via e-payment, requiring a manual refund to be processed. Manual reconciliation with accounting records is still required by statute, but now it's done in aggregate instead of check-by-check, saving significant administrative time and effort. **Voter Data Revenues Background:** On April 25, 2014, the G.A.B. launched a new web portal named BADGER Voters, thereby making it easier to request publicly available voter data and to significantly reduce staff time required to process these requests. This new website was developed entirely by agency program staff and IT developers, and allows candidates, political parties, and the public to request SVRS voter data online, including voter participation based on jurisdiction or district, participation in a particular election or elections, or absentee voter information. Data request customers can submit their requests, make payments online through US Bank, and download the completed file from this new website. This process was previously done manually, requiring significant staff time for each request. Since its inception, BADGER Voters has received approximately 585 requests and processed 365 purchased data files. The system has generated \$204,000 of revenue, while reducing agency costs by approximately \$104,000 in that same time frame. Total website development costs were less than \$50,000.

In summary, our Accountant position is responsible for the accounting and financial management of the Federal Help America Vote Act of 2002 funds and all other federal and state funds which the agency receives. This position develops, monitors and maintains all accounting and financial records for both federal & state funds. This position serves as the liaison to the U.S. Election Assistance Commission for any and all matters regarding financial, accounting and expenditure

reporting, including quarterly and annual financial reporting, access and daily draw-down of Federal funds, and servicing & responding to all financial/accounting inquiries relating to those federal funds. This position also serves as the agency liaison to the State Controller's Office, in addition to preparing for audits and responding to audit findings & recommendations, auditing & processing invoices and other financial documents, preparing and processing expenditure reports and records, reconciling accounts, and producing various financial reports for management. This position also provides guidance, technical assistance, and other requested accounting and financial management support to program management and staff as needed, including the interpretation of federal and state regulations, and assisting program managers in complying with all these regulations.

State Transforming Agency Resources (STAR) Project Tasks:

The agency's two financial positions currently serve as subject matter experts for implementation of the STAR Project. They are directly involved in Release 1 (Finance and Procurement) at this time, and will be directly involved with Release 2 (Human Capital Management), the evaluation, planning, and implementation for which is scheduled for the first half of fiscal year 2016 and a go live date of January 2, 2016. If these positions are deleted from the budget other agency staff without subject matter expertise will be required to absorb these responsibilities.

Conclusion

It is highly unlikely that the Department of Administration could replace even one, let alone both positions with half the level of services which these two agency employee's perform. Our agency has already consolidated financial and operations program duties of three people since another Financial Specialist left the agency, so in effect these remaining two financial staffers are currently doing the work of three people. Whatever perceived savings the state believes will be achieved by deleting these positions will only be more than offset by our agency having to hire at least one FTE to make up for a significant portion of the above program work currently being performed by these two financial employees.

ATTACHMENT 2

WI GAB

Board Meeting Costs

**For the Fiscal Years 2012, 2013, 2014, and
the Fiscal Year-To-Date ended 1/30/2015**

| <u>Board Meeting Costs</u> | <u>FY-12</u> | <u>FY-13</u> | <u>FY-14</u> | <u>FYTD-15</u> |
|--|--------------|--------------|--------------|----------------|
| Per Diems | \$ 28,218 | \$ 15,991 | \$ 29,899 | \$ 30,835 |
| Fringe Benefits (social security & medicare only) | 2,160 | 1,169 | 2,290 | 2,360 |
| Meeting Expenses - Travel and Lodging* | 9,416 | 7,636 | 8,570 | 4,344 |
| Meeting Expenses - telecom, postage, printing, etc.* | 2,822 | 1,234 | 3,880 | 1,721 |
| Board Lunch | 892 | 990 | 1,226 | 417 |
| | | | | |
| Total Board Meeting Costs | \$ 43,508 | \$ 27,020 | \$ 45,865 | \$ 39,677 |
| | | | | |
| Budget Authority | \$ 28,300 | \$ 28,300 | \$ 28,300 | \$ 28,300 |
| | | | | |
| Over / (Under) Budget ** | \$ 15,208 | \$ (1,280) | \$ 17,565 | \$ 11,377 |

* Meeting Expenses include: Board materials (photocopying, mailing); travel expenses, meal reimbursements

** The GAB purposely did not hire any other LTE's and achieved enough cost savings from other Supplies & Services to make up for the additional board meeting expenditures most years.

| Average Daily Cost for In-Person Meeting | |
|---|----------|
| Daily Meeting Per Diem | 2,670 |
| Meeting Expenses | 1,400 |
| | \$ 4,070 |

| Average Daily Cost for In-Person Meeting | |
|---|----------|
| 1/2 day - Prep Time Per Diem | 1,362 |
| Daily Meeting Per Diem | 2,670 |
| Meeting Expenses | 1,400 |
| | \$ 5,432 |

| Average Daily Cost for In-Person Meeting | |
|---|----------|
| Full-day - Prep Time Per Diem | 2,670 |
| Daily Meeting Per Diem | 2,670 |
| Meeting Expenses | 1,400 |
| | \$ 6,740 |

State of Wisconsin\Government Accountability Board

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the March 4-5, 2015 Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy, Director and General Counsel
Wisconsin Government Accountability Board

Prepared by: Kevin J. Kennedy, Director and General Counsel
Brian Bell, Elections and Ethics Specialist

SUBJECT: Statutory Duties Annotated By Position Responsibility

Last Fall, Board Members were presented with a list of the agency duties that are specifically enumerated in Wisconsin statutes that the agency is charged with administering – Chapters 5 – 12; Chapter 13, Subchapter III and Chapter 19, Subchapter III. At the Board's January 13, 2015 meeting a request was made to annotate the list showing which agency positions and staff had responsibility for carrying out each specified statutory requirement.

While extensive, the chart is not a complete list of the work of the G.A.B. The chart does not cover duties assigned to the agency that apply to all agencies or boards. For example the chart does not describe any statutory personnel, purchasing or financial duties applicable to all state agencies that are covered in other statutes, which are a significant share of the work completed by the Administrative Team. Wis. Stats. §§ 16.40-16.47; 16.70-16.849. It also does not describe duties applicable to boards in general such as the requirement to meet at least quarterly. Wis. Stat. § 15.07 (3)(a). Nor does the document list some specific organizational duties applicable to the G.A.B. such as selecting the Chair by lot. Wis. Stat. § 15.07 (2)(b).

The chart illustrates that most everything the agency does involves a team approach. Staff are assigned to multiple teams that are constantly coordinating activities and assignments. There are also necessary subject-matter tasks that the agency performs which are not reflected in the chart. These include responding to legislative requests regarding pending legislation, financial estimates or specific constituent inquiries; responding to media requests which may involve the Public Information Officer, management, and staff counsel; responding to requests for advice and guidance from public officials and lobbyists; and answering a constant stream of inquiries from political committee treasurers, lobbyists, public officials, and other agency constituents. Finally, the chart does not include references to the G.A.B.'s IT team, which includes a project manager, database administrator and three IT developers. Those individuals are contractors rather than agency employees, and work in conjunction with G.A.B. staff on nearly every program function of the agency.

Accompanying this memorandum is a chart listing each statutory duty and the agency team responsible for carrying out the statutory requirement. Following the chart is a table listing each agency team and the names and titles of the individuals that are a part of the team.

Board Members expressed an interest in establishing a regular schedule to review the document and receive a report on the status of compliance with the statutory duties along with any significant changes to the staff assigned or the statutory responsibilities. While many of the functions implementing the statutory responsibilities are outlined in the Division Reports for each Board meeting, the Management Team believes that it may be useful to provide a comprehensive update regarding the statutory duties on an annual basis. An initial status report can be prepared for the June meeting, with subsequent review provided as part of the January teleconference meeting where Board officers are selected. One reason for providing the initial report in June 2015 is that the Management Team will likely have an idea of the impact of the biennial budget on staffing.

Recommended Motion:

The Board directs the Management Team to provide a report at its June 2015 meeting describing the status of agency compliance with each enumerated statutory responsibility along with an update on any staffing changes. The Management Team is also directed to provide an annual update at the Board's January organizational meeting each year.

Attachments:

Annotated List of Statutory Responsibilities
Description of Agency Working Teams

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|--------------------|---|--|---------------------|--|
| GENERAL AUTHORITY | Board Members, Director and General Counsel, Division Administrators | GAB Statutory Authority | 5.05 (1) | The government accountability board shall have the responsibility for the administration of chs. 5 to 12, other laws relating to elections and election campaigns, subch. III of ch. 13, and subch. III of ch. 19. Wis. Stat. § 5.05(1). |
| GENERAL AUTHORITY | Board Members, Director and General Counsel, Division Administrators, Staff Counsels | Administrative Rules | 5.05 (1)(f) | Promulgate rules under ch. 227 applicable to all jurisdictions for the purpose of interpreting or implementing the laws regulating the conduct of elections or election campaigns or ensuring their proper administration. Wis. Stat. § 5.05(1)(f). |
| GENERAL AUTHORITY | Board Members, Director and General Counsel | Personnel | 5.05 (1m) | The board shall employ outside the classified service an individual to serve as legal counsel who shall perform legal and administrative functions for the board. Wis. Stat. § 5.05(1m). |
| GENERAL AUTHORITY | Campaign Finance Team | Audits | 5.05 (2) | The board shall conduct an audit of reports and statements which are required to be filed with it to determine whether violations of ch. 11 have occurred. Wis. Stat. § 5.05(2). |
| GENERAL AUTHORITY | Campaign Finance Team | Audits | 5.05 (2) | The board shall make official note in the file of a candidate, committee, group or individual under ch. 11 of any error or other discrepancy which the board discovers and shall inform the person submitting the report or statement. Wis. Stat. § 5.05(2). |
| GENERAL AUTHORITY | Board Members, Director and General Counsel, Ethics and Accountability Division Administrator, Staff Counsels | Investigations & Enforcement | 5.05 (2m)(a) | The board shall investigate violations of laws administered by the board. Wis. Stat. § 5.05(2m)(a). |
| ETHICS DIVISION | Ethics and Accountability Division Administrator | Ethics Division Statutory Authority | 5.05 (2s) | The ethics and accountability division has the responsibility for administration of ch. 11, subch. III of ch. 13, and subch. III of ch. 19. Wis. Stat. § 5.05(2s). |
| ELECTIONS DIVISION | Elections Division Administrator | Elections Division Statutory Authority | 5.05 (2w) | The elections division has the responsibility for the administration of chs. 5 to 10 and 12. Wis. Stat. § 5.05(2w). |
| GENERAL AUTHORITY | Director and General Counsel | Chief Election Officer | 5.05 (3g) | The board shall designate an employee of the board to serve as the chief election officer of this state. Wis. Stat. §5.05(3g). |
| GENERAL AUTHORITY | Agency Management Team | Nonpartisan Employees | 5.05 (4) | All employees of the board shall be nonpartisan §5.05(4). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|--------------------|---|-----------------------------------|----------------------------|--|
| GENERAL AUTHORITY | Public Information Officer | Biennial Report | 5.05 (5e) | The board shall include in its biennial report under s. 15.04 (1) (d) the names and duties of all individuals employed by the board and a summary of its determinations and advisory opinions. Wis. Stat. § 5.05(5e). |
| GENERAL AUTHORITY | Ethics and Accountability Division Administrator | Advisory Opinion | 5.06 (6a) | The board shall review a request for an advisory opinion and may issue a formal written or electronic advisory opinion to the person making the request §5.05(6)(a). |
| ELECTIONS DIVISION | Election Training Team, Election Administration Team, SVRS Team | Election Officials | 5.05 (7) | The board shall conduct regular information and training meetings at various locations in the state for county and municipal clerks and other election officials. Wis. Stat. § 5.05(7). |
| ELECTIONS DIVISION | Elections Division Administrator, Election Administration Team | Education & Information | 5.05 (10) | The board shall adopt and modify as necessary a state plan that meets the requirements of P.L. 107-252 to enable participation by this state in federal financial assistance programs authorized under that law. Wis. Stat. § 5.05 (10). |
| ELECTIONS DIVISION | Election Administration Team | Education & Information | 5.05 (11) | The board shall conduct an educational program for the purpose of educating electors who cast paper ballots, ballots that are counted at a central counting location, and absentee ballots of the effect of casting excess votes for a single office. Wis. Stat. § 5.05(11). |
| ELECTIONS DIVISION | Help Desk, Election Administration Team | Education & Information | 5.05 (13)(a) | The board shall maintain one or more toll-free telephone lines for electors to report possible voting fraud and voting rights violations, to obtain general election information, and to access information concerning their registration status, current polling place locations, and other information relevant to voting in elections. Wis. Stat. § 5.05 (13)(a). |
| ELECTIONS DIVISION | UOCAVA Team | Overseas / Absent Military Voting | 5.05 (13)(c) | The board shall maintain a freely accessible system under which a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b), who casts an absentee ballot may ascertain whether the ballot has been received by the appropriate municipal clerk. Wis. Stat. § 5.05(13)(c). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|--------------------|----------------------------------|-----------------------------------|---------------------|---|
| ELECTIONS DIVISION | UOCAVA Team | Overseas / Absent Military Voting | 5.05 (13)(d) | The board shall designate and maintain at least one freely accessible means of electronic communication which shall be used for the following purposes: To permit a military elector or an overseas elector to request a voter registration application or an application for an absentee ballot at any election at which the elector is qualified to vote in this state, to designate whether the elector wishes to receive the applications electronically or by mail and to permit a municipal clerk to transmit to a military elector or an overseas elector a registration application or absentee ballot application electronically or by mail, as directed by the elector together with related voting, balloting, and election information. Wis. Stat. § 5.05(13)(d). |
| ELECTIONS DIVISION | SVRS Team | Registration | 5.05 (15) | The board is responsible for the design and maintenance of the official registration list under s. 6.36. Wis. Stat. § 5.05 (15). |
| ELECTIONS DIVISION | SVRS Team | Registration | 5.05 (15) | The board shall require all municipalities to use the list in every election and may require any municipality to adhere to procedures established by the board for proper maintenance of the list. Wis. Stat. § 5.05 (15). |
| GENERAL AUTHORITY | Director and General Counsel | Legal Counsel | 5.054 (1) | The board's legal counsel shall call a meeting of the government accountability candidate committee whenever a vacancy occurs on the board. Wis. Stat. § 5.054(1). |
| GENERAL AUTHORITY | Director and General Counsel | Legal Counsel | 5.054 (2) | The board's legal counsel shall assist the government accountability candidate committee in the performance of its functions. Wis. Stat. § 5.054(2). |
| ELECTIONS DIVISION | Elections Division Administrator | Elections Division Administrator | 5.055 | The administrator of the elections division of the board shall, in consultation with the board, appoint an individual to represent this state as a member of the federal election assistance commission standards board. Wis. Stat. § 5.055. |
| ELECTIONS DIVISION | Elections Division Administrator | Elections Division Administrator | 5.055 | The administrator shall also conduct and supervise a process for the selection of an election official by county and municipal clerks and boards of election commissioners to represent local election officials of this state as a member of the federal election assistance commission standards board. Wis. Stat. § 5.055. |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|--------------------|---|----------------------------------|----------------------------|--|
| ELECTIONS DIVISION | Elections Division Administrator, SVRS Team | Elections Division Administrator | 5.056 | The administrator of the elections division of the board shall enter into the agreement with the secretary of transportation specified under s. 85.61 (1) to match personally identifiable information on the official registration list maintained by the board under s. 6.36 (1) with personally identifiable information maintained by the department of transportation. Wis. Stat. § 5.056. |
| GENERAL AUTHORITY | Board Members | Complaints | 5.06 | The board may conduct a hearing on the matter in the manner prescribed for treatment of contested cases under ch. 227 if it believes such action to be appropriate. §5.06(1). |
| ELECTIONS DIVISION | Board Members, Director and General Counsel, Staff Counsels, Elections Division Administrator | HAVA Compliance | 5.061 | The board shall make a final determinations with respect to the merits of the complaint and issue a decision within 89 days of the time that the complaint or the earliest of any complaints was filed. §5.061. |
| ELECTIONS DIVISION | Accessibility Team | Voting Rights/Impediments | 5.25 (4) | The board shall ensure that the voting system used at each polling place will permit all individuals with disabilities to vote without the need for assistance and with the same degree of privacy that is accorded to nondisabled electors voting at the same polling place. Wis. Stat. § 5.25(4). |
| ELECTIONS DIVISION | Accessibility Team | Voting Rights/Impediments | 5.25 (4)(d) | No later than June 30 of each odd-numbered year, the board shall submit a report on impediments to voting faced by elderly and handicapped individuals to the appropriate standing committees of the legislature under s. 13.172(3). In preparing its report the board shall consult with appropriate advocacy groups representing the elderly and handicapped populations. Wis. Stat. § 5.25(4)(d). |
| ELECTIONS DIVISION | Election Administration Team | Voting Rights/Impediments | 5.35 (6)(a)4a. | The board shall prescribe instructions for electors for whom proof of identification is required under s. 6.79 (2) or for whom proof of residence under s. 6.34 is required under s. 6.55 (2). Wis. Stat. § 5.35(6)(a)4a. |
| ELECTIONS DIVISION | Election Administration Team | Voting Rights/Impediments | 5.35 (6)(a)4b. | The board shall prescribe general information concerning voting rights under applicable state and federal laws, including the method of redress for any alleged violations of those rights. Wis. Stat. § 5.35(6)(a)4b. |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|--------------------|------------------------------|----------------------------------|----------------------------|---|
| ELECTIONS DIVISION | Accessibility Team | Voting Rights/Impediments | 5.40 (4)(b) | The board shall ensure that the voting system used at each polling place in any jurisdiction that is subject to the requirement under 42 USC 1973aa-1a to provide voting materials in any language other than English is in compliance. Wis. Stat. § 5.40(4)(b). |
| ELECTIONS DIVISION | Election Administration Team | Ballots | 5.60 (1)(b) | The board shall certify the candidates' names and designate the official ballot arrangement for candidates for state superintendent, justice, court of appeals judge, circuit judge and, if commissioners are elected under s. 200.09 (11) (am), the metropolitan sewerage commission. Wis. Stat. § 5.60(1)(b). |
| ELECTIONS DIVISION | Election Administration Team | Ballots | 5.62 (3) | The board shall designate the official primary ballot arrangement for statewide offices and district attorney within each prosecutorial district by using the same procedure provided in s. 5.60(1)(b). Wis. Stat. § 5.62(3). |
| ELECTIONS DIVISION | Election Administration Team | Ballots | 5.655 (3) | The board shall prescribe notices and instructions to be given to electors who use a consolidated ballot. Wis. Stat. § 5.655(3). |
| ELECTIONS DIVISION | Voting Equipment Team | Elections Administration Council | 5.68 (3m) | The election administration council shall provide guidance to local units of government concerning the procurement of election apparatus, ballots, ballot forms, materials, and supplies for use in elections in this state to help ensure that competitive prices are obtained by those units of government. § 5.68(3m). |
| ELECTIONS DIVISION | Election Administration Team | Ballots | 5.72 (2) | The board shall review ballots and proof copies and shall notify the county and municipal clerk of any error as soon as possible but in no event later than 7 days after submission. Wis. Stat. § 5.72(2). |
| ELECTIONS DIVISION | Voting Equipment Team | Electronic Voting Systems | 5.87 (2) | The board shall, by rule, prescribe uniform standards for determining the validity of votes cast or attempted to be cast with each electronic voting system approved for use in this state under s. 5.91. Wis. Stat. § 5.87(2). |
| ELECTIONS DIVISION | Voting Equipment Team | Electronic Voting Systems | 5.905 (2) | The board shall determine which software components of an electronic voting system it considers to be necessary to enable review and verification of the accuracy of the automatic tabulating equipment used to record and tally the votes cast with the system. Wis. Stat. § 5.905(2). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|-----------------------|---|--------------------------------------|----------------------------|--|
| ELECTIONS DIVISION | Voting Equipment Team | Electronic Voting Systems | 5.905 (2) | The board shall require each vendor of an electronic voting system that is approved under s. 5.91 to place those software components in escrow with the board within 90 days of the date of approval of the system and within 10 days of the date of any subsequent change in the components. Wis. Stat. § 5.905(2). |
| ELECTIONS DIVISION | Voting Equipment Team | Electronic Voting Systems | 5.905 (2) | The board shall secure and maintain those software components in strict confidence except as authorized in this section. Wis. Stat. § 5.905(2). |
| ELECTIONS DIVISION | Voting Equipment Team | Electronic Voting Systems | 5.905 (3) | The board shall promulgate rules to ensure the security, review and verification of software components used with each electronic voting system approved by the board. Wis. Stat. § 5.905(3). |
| ELECTIONS DIVISION | Voting Equipment Team | Electronic Voting Systems | 5.91 (intro) | The board shall approve any ballot, voting device, automatic tabulating equipment or related equipment and materials to be used in an electronic voting system. Wis. Stat. § 5.91(intro). |
| ELECTIONS DIVISION | Board Members, Director and General Counsel, Staff Counsels, Elections Division Administrator, Electronic Voting Equipment Specialist | Electronic Voting Systems | 5.93 | The board may promulgate reasonable rules for the administration of electronic voting systems. Wis. Stat. § 5.93. |
| ELECTIONS DIVISION | Election Administration Team | Electronic Voting Systems | 5.95 | The board shall prescribe information to electors in municipalities and counties using various types of electronic voting systems to be published in lieu of the information specified in s. 10.02 (3) in type B notices whenever the type B notice information is inapplicable. Wis. Stat. § 5.95. |
| ELECTIONS DIVISION | UOCAVA Team | Overseas / Absent Military Voting | 6.06 | The board is the agency designated by the state of Wisconsin under 42 U.S.C. §1973ff-1 to provide information regarding voter registration and absentee balloting procedures to absent members of the uniformed services and overseas voters with respect to elections for national office. Wis. Stat. § 6.06. |
| ELECTIONS DIVISION | UOCAVA Team | Overseas / Absent Military Voting | 6.22 (4)(d) | For military absentee ballots, the board shall prescribe the instructions for marking and returning ballots and the municipal clerk shall enclose instructions with each ballot, including supplemental instructions for local elections. Wis. Stat. § 6.22(4)(d). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
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| ELECTIONS DIVISION | UOCAVA Team | Overseas / Absent Military Voting | 6.24 (3) | The board shall design a form to ascertain the qualifications of overseas electors. Wis. Stat. § 6.24(3). |
| ELECTIONS DIVISION | UOCAVA Team | Overseas / Absent Military Voting | 6.24 (4)(d) | The board shall prescribe a special certificate form for the envelope in which the absentee ballot for overseas electors is contained, which shall be substantially similar to the certificate used for absentee voters domiciled in Wisconsin as provided under s. 6.87(2). Wis. Stat. § 6.24(4)(d). |
| ELECTIONS DIVISION | UOCAVA Team | Overseas / Absent Military Voting | 6.24 (5) | The board shall prescribe a special ballot for use by overseas/military voters whenever necessary, limited to national offices and designed to comply with the requirements under ss.5.60(8), 5.62, and 5.64(1) insofar as applicable. Wis. Stat. § 6.24(5). |
| ELECTIONS DIVISION | UOCAVA Team | Overseas / Absent Military Voting | 6.24 (6) | For overseas ballots, the board shall prescribe the instructions for marking and returning ballots and the municipal clerk shall enclose instructions with each ballot, including supplemental instructions for local elections. Wis. Stat. § 6.24(6). |
| ELECTIONS DIVISION | Board Members, Director and General Counsel, Staff Counsels, Elections Division Administrator | Special Registration Deputies | 6.26 (3) | The board shall, by rule, prescribe procedures for appointment of special registration deputies, for revocations of such appointments, and for training of special registration deputies by municipal clerks and boards of election commissioners. Wis. Stat. § 6.26(3). |
| ELECTIONS DIVISION | SVRS Team | Registration | 6.275 (2) | The Board shall publish registration and voting statistics on its website within 7 days of receipt from local election officials and update this information on a monthly basis. Wis. Stat. § 6.275 (2). |
| ELECTIONS DIVISION | SVRS Team | Overseas / Absent Military Voting | 6.276 (2) | Within 30 days after each general election, each municipal clerk shall transmit to the board a report of the number of absentee ballots transmitted to absent military and overseas electors and the combined number of those ballots that were cast by those electors in that election. Wis. Stat. § 6.276 (2). |
| ELECTIONS DIVISION | SVRS Team | Overseas / Absent Military Voting | 6.276 (3) | Within 90 days after each general election, the board shall compile the information contained in the municipal clerks' reports and transmit the information to the federal Election Assistance Commission. Wis. Stat. § 6.276(3). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
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| ELECTIONS DIVISION | SVRS Team | Registration | 6.29 (2)(am) | The board shall provide to each municipal clerk a list prepared for use at each municipal clerk's office showing the name and address of each person whose name appears on the list provided by the department of corrections under s. 301.03 (20m) as ineligible to vote on the date of the election, whose address is located in the municipality, and whose name does not appear on the registration list for that municipality. Wis. Stat. § 6.29(2)(am). |
| ELECTIONS DIVISION | Election Administration Team | Registration | 6.33 (1) | The board shall prescribe the format, size, shape and content of registration forms consistent with statutory requirements. Wis. Stat. § 6.33 (5). |
| ELECTIONS DIVISION | SVRS Team | Registration | 6.33 (5)(a) | Municipal clerks may update changes to registrations within 45 days after the date of a general election. The legal counsel of the board may, upon request of a municipal clerk, permit the clerk to update registration entries that change on the date of a general election within 60 days after that election. The municipal clerk shall also provide to the board information that is confidential under s.6.47(2) in such manner as the board prescribes. Wis. Stat. § 6.33(5)(a). |
| ELECTIONS DIVISION | SVRS Team | Registration | 6.36 (1)(a) | The board shall compile and maintain electronically an official registration list consistent with statutory requirements. Wis. Stat. § 6.36 (1)(a). |
| ELECTIONS DIVISION | Election Administration Team, SVRS Team | Registration | 6.36 (2)(a) | The board shall, by rule, prescribe the space and location for entry of each elector's signature on the poll list which shall provide for entry of the signature without changing the orientation of the poll list from the orientation used by the election officials. Wis. Stat. § 6.36(2)(a) |
| ELECTIONS DIVISION | SVRS Team | Registration | 6.36 (6) | The board shall establish by rule the fee for obtaining a copy of the official registration list, or a portion of the list. Wis. Stat. § 6.36(6). |
| ELECTIONS DIVISION | SVRS Team | Registration | 6.50 (1) | No later than June 15 following each general election the board shall identify each elector who has not voted within the previous 4 years and mail a suspension notice. Wis. Stat. § 6.50 (1) |
| ELECTIONS DIVISION | SVRS Team | Registration | 6.50 (2) | The board shall change the registration status of an elector receiving a notice of suspension who does not apply for continuation of registration within 30 days of the date of mailing the suspension notice. Wis. Stat. § 6.50 (2) |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
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| ELECTIONS DIVISION | SVRS Team | Registration | 6.50 (2g) | The board may delegate to a municipal clerk the responsibility to change the registration status of voter suspended under s. 6.50 (2). Wis. Stat. § 6.50 (2g) |
| ELECTIONS DIVISION | SVRS Team | Registration | 6.50 (2r) | No later than August 1 of an odd-numbered year the board shall publish on its website specified statistics related to the suspension notice mailing. Wis. Stat. § 6.50 (2r) |
| ELECTIONS DIVISION | SVRS Team | Registration | 6.55 (2) (cs) | The board shall provide to each municipal clerk a list prepared for use at each polling place showing the name and address of each person whose name appears on the list provided by the department of corrections under s. 301.03 (20m) as ineligible to vote on the date of the election, whose address is located in the municipality, and whose name does not appear on the registration list for that municipality. Wis. Stat. § 6.55 (2) (cs). |
| ELECTIONS DIVISION | SVRS Team | Registration | 6.56 (3m) | As soon as possible after all information relating to registrations after the close of registration for an election is entered on the registration list following the election under s.6.33 (5) (a), the board shall compare the list of new registrants whose names do not appear on the poll lists for the election because the names were added after the board certified the poll lists for use at the election with the list containing the names transmitted to the board by the department of corrections under s. 301.03 (20m) as of election day. If the board finds that the name of any person whose name appears on the list transmitted under s. 301.03 (20m) has been added to the registration list, the board shall enter on the list the information transmitted to the board under s. 301.03 (20m) and shall notify the district attorney for the county where the polling place is located that the person appears to have voted illegally at the election. Wis. Stat. § 6.56 (3m). |
| ELECTIONS DIVISION | SVRS Team | Registration | 6.56 (7) | The board may elect to perform audits of all electors registering to vote at the polling place and all electors registering by agent on election day. Wis. Stat. § 6.56 (7). |
| ELECTIONS DIVISION | Election Administration Team | Absentee Voters | 6.869 | The board shall prescribe uniform instructions for municipalities to provide to absentee electors. Wis. Stat. § 6.869. |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|--------------------|------------------------------|-------------------------------|----------------------------|--|
| ELECTIONS DIVISION | Election Administration Team | Special Registration Deputies | 6.875 (5) | The board shall prescribe an oath that special registration deputies must file as required by s. 7.30 (5). Wis. Stat. § 6.875 (5). |
| ELECTIONS DIVISION | Election Administration Team | Registration | 6.92, 6.925 | The board may prescribe by rule questions that inspectors or other electors may use to test a person's qualifications in a challenge. Wis. Stats. §§ 6.92, 6.925. |
| ELECTIONS DIVISION | Board Members | Election Officials | 7.03 (2) | The board shall fix the amount to be paid any person employed to perform duties for the state. If the board employs an individual to perform duties which are the responsibility of a county or municipality, the board shall charge the expense to the county or municipality. Wis. Stat. § 7.03(2). |
| ELECTIONS DIVISION | Election Administration Team | Ballots | 7.08 (1)(a) | In addition to its duties for ballot arrangement under ch. 5 and date and notice requirements under ch. 10, the board shall prescribe all official ballot forms and revise them to harmonize with legislation and the current official status of the political parties whenever necessary. Wis. Stat. § 7.08(1)(a). |
| ELECTIONS DIVISION | Election Administration Team | Ballots | 7.08 (1) (a) | The board shall include on each ballot form in the endorsement section space for identifying overvoted or damaged ballots as original or duplicate with an identifying serial number. Wis. Stat. § 7.08 (1) (a). |
| ELECTIONS DIVISION | Election Administration Team | Ballots | 7.08 (1)(b) | The board shall also prescribe the necessary sample forms and ballot containers to make the canvass, returns, statements and tally sheet statements for all elections the results of which are reportable to the board under s. 7.60 (4) (a), and all other materials as it deems necessary to conduct the elections. Wis. Stat. § 7.08(1)(b). |
| ELECTIONS DIVISION | Election Administration Team | Registration | 7.08 (1)(c) | The board shall prescribe the format, size, and shape of registration forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1), 6.40 (1) (a), 6.47 (1) (am) 2. and (3), 6.55 (2), and 6.86 (2) to (3). All such forms shall contain a statement of the penalty applicable to false or fraudulent registration or voting through use of the form. Forms are not required to be furnished by the board. Wis. Stat. § 7.08(1)(c). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
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| ELECTIONS DIVISION | Board Members, Director and General Counsel, Staff Counsels, Elections Division Administrator | Electronic Voting Systems | 7.08 (1)(d) | The board shall promulgate rules for the administration of the statutory requirements for voting machines and electronic voting systems and any other voting apparatus which may be introduced in this state for use at elections. Pursuant to such responsibility, the board may obtain assistance from competent persons to check the machines, systems and apparatus and approve for use those types meeting the statutory requirements and shall establish reasonable compensation for persons performing duties under this paragraph. Wis. Stat. § 7.08(1)(d). |
| ELECTIONS DIVISION | Election Administration Team | Candidates | 7.08 (2)(a) | The board shall transmit to each county clerk a certified list of all candidates on file in its office for which electors in that county may vote. Wis. Stat. § 7.08(2)(a). |
| ELECTIONS DIVISION | Election Administration Team | Publications | 7.08 (3) | The board shall prepare and publish separate from the election laws an election manual written so as to be easily understood by the general public explaining the duties of the election officials. Wis. Stat. § 7.08 (3). |
| ELECTIONS DIVISION | Election Administration Team | Publications | 7.08 (4) | The board shall publish the election laws and shall sell or distribute or arrange for the sale or distribution of copies of the election laws to county and municipal clerks and boards of election commissioners and members of the public. Wis. Stat. § 7.08(4). |
| ELECTIONS DIVISION | LTSB | Publications | 7.08 (5) | The board shall distribute, upon request and free of charge, to any candidate for representative in Congress, state senator, or representative to the assembly a copy of the map or maps received under s. 16.96 (3) (b) showing district boundaries. Wis. Stat. § 7.08(5). |
| ELECTIONS DIVISION | Voting Equipment Team | Electronic Voting Systems | 7.08 (6) | Following each general election, audit the performance of each voting system used in this state to determine the error rate of the system in counting ballots that are validly cast by electors. If the error rate exceeds the rate permitted under standards of the federal election commission in effect on October 29, 2002, the board shall take remedial action and order remedial action to be taken by affected counties and municipalities to ensure compliance with the standards. Wis. Stat. § 7.08(6). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
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| ELECTIONS DIVISION | Elections Division Staff | Election Officials | 7.08 (11) | The board shall allocate and assign sufficient members of its staff to coordinate their activities with local election officials and maintain their availability to respond to inquiries from local election officials for each statewide election and each recount in progress. Wis. Stat. § 7.08(11). |
| ELECTIONS DIVISION | Election Administration Team | Voting Rights/Impediments | 7.08 (12) | The board shall engage in outreach to identify and contact groups of electors who may need assistance in obtaining or renewing a document that constitutes proof of identification for voting and provide assistance to the electors in obtaining or renewing that document. Wis. Stat. § 7.08(12). |
| ELECTIONS DIVISION | Director and General Counsel, Staff Counsels, Elections Division Administrator | Voter Fraud | 7.15 (1)(g) | Report summary of suspected election frauds, irregularities and violations received from municipal clerks annually to the legislature under s 13.72. Wis. Stat. § 7.15 (1)(g) |
| ELECTIONS DIVISION | Board Members, Director and General Counsel, Staff Counsels, Elections Division Administrator | Election Officials | 7.31 (1) | The board shall, by rule, prescribe requirements for certification of individuals to serve as chief inspectors. Wis. Stat. § 7.31 (1). |
| ELECTIONS DIVISION | Election Administration Team | Election Officials | 7.31 (3) | The board shall, upon application, issue certificates to qualified individuals who meet the requirements to be certified as chief inspectors. Each certificate shall carry an expiration date. Wis. Stat. § 7.31(3). |
| ELECTIONS DIVISION | Election Administration Team | Election Officials | 7.31 (4) | The board shall require each individual to whom a certificate is issued under this section to meet requirements to maintain that certification. Wis. Stat. § 7.31(4). |
| ELECTIONS DIVISION | Election Administration Team | Election Officials | 7.31 (5) | The board shall also conduct regular training programs to ensure that individuals who are certified by the board as chief election inspectors are knowledgeable concerning their authority and responsibilities. The board shall pay all costs required to conduct the training programs from the appropriation under s. 20.511 (1) (bm). Wis. Stat. § 7.31(5). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|--------------------|---|--------------------|----------------------------|---|
| ELECTIONS DIVISION | Board Members, Director and General Counsel, Staff Counsels, Elections Division Administrator | Election Officials | 7.315 | The board shall, by rule, prescribe the contents of the training of election officials. Wis. Stat. § 7.315. |
| ELECTIONS DIVISION | Board Members, Director and General Counsel, Staff Counsels, Elections Division Administrator | Election Observers | 7.41 (5) | The board may promulgate rules that are consistent with the requirements of the public's right to access to the polling place regarding the proper conduct of individuals exercising the right, including the interaction of those individuals with inspectors and other election officials. Wis. Stat. § 7.41(5). |
| ELECTIONS DIVISION | Board Members | Canvass | 7.60 (5)(b) | If the board of canvassers becomes aware of a material mistake in the canvass of an election for state or national office or a statewide or technical college district referendum prior to the close of business on the day the government accountability board receives returns from the last county board of canvassers with respect to that canvass, the board of canvassers may petition the government accountability board to reopen and correct the canvass. The government accountability board shall direct the canvass to be reopened and corrected if it determines that the public interest so requires. Wis. Stat. § 7.60(5)(b). |
| ELECTIONS DIVISION | SVRS Team, Election Administration Team | Canvass | 7.70 (1) | Upon receipt of the certified statements from the county clerks, the board shall record the election results by counties and file and carefully preserve the statements. Wis. Stat. § 7.70(1). |
| ELECTIONS DIVISION | Board Members | Canvass | 7.70 (3) | The chairperson of the board or a designee of the chairperson appointed by the chairperson to canvass a specific election shall publicly canvass the returns and make his or her certifications and determinations on or before the 2nd Tuesday following a spring primary, the 15th day of May following a spring election, the 3rd Wednesday following a partisan primary, the first day of December following a general election, the 2nd Thursday following a special primary, or within 18 days after any special election. Wis. Stat. § 7.70(3). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
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| ELECTIONS DIVISION | Election Administration Team | Canvass | 7.70 (5) | The board shall record in its office each certified statement and determination made by the chairperson of the board or the chairperson's designee. Immediately after the expiration of the time allowed to file a petition for recount, the board shall make and transmit to each person declared elected a certificate of election under the seal of the board. For presidential electors, the board shall prepare a certificate showing the determination of the results of the canvass and the names of the persons elected, and the governor shall sign, affix the great seal of the state, and transmit the certificate by registered mail to the U.S. administrator of general services. Wis. Stat. § 7.70(5). |
| ELECTIONS DIVISION | Board Members, Director and General Counsel, Staff Counsels, Elections Division Administrator | Nomination Papers | 8.07 | The board shall promulgate rules under this chapter for use by election officials in determining the validity of nomination papers and signatures thereon. Wis. Stat. § 8.07. |
| ELECTIONS DIVISION | Election Administration Team | Nomination Papers | 8.12 (1)(d) | The board shall forthwith contact each person whose name has been placed in nomination under par. (b) and notify him or her that his or her name will appear on the Wisconsin presidential preference ballot unless he or she files, no later than 5 p.m. on the last Tuesday in January of such year, with the board, a disclaimer stating without qualification that he or she is not and does not intend to become a candidate for the office of president of the United States at the forthcoming presidential election. Wis. Stat. § 8.12(1)(d). |
| ELECTIONS DIVISION | Election Administration Team | Ballots | 8.12 (2) | The form of the official ballots (Presidential Preference Vote) shall be prescribed by the board. Wis. Stat. § 8.12(2). |
| ELECTIONS DIVISION | Election Administration Team | Reporting | 8.12 (3) | No later than May 15 following the presidential preference primary, the board shall notify each state party organization chairperson under sub. (1) (b) of the results of the presidential preference primary within the state and within each congressional district. Wis. Stat. § 8.12(3). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|-----------------------|---|-------------------|---------------------|---|
| ELECTIONS DIVISION | Election Administration Team | Candidates | 8.185 (2) | The board may waive the requirement of 8.185 (2) but only if the results of the general election indicate that a write-in candidate for the office of president is eligible to receive the electoral votes of this state except for noncompliance with this subsection. In such event, the write-in candidate shall have until 4:30 p.m. on the Friday following the general election to comply with the filing requirements of this subsection. Wis. Stat. § 8.185 (2). |
| ELECTIONS DIVISION | Election Administration Team | Nomination Papers | 8.19 (3) | The board shall not certify nor the county clerk print the name of any person whose nomination papers indicate a party name comprising a combination of existing party names, qualifying words, phrases, prefixes or suffixes in connection with any existing party name. Wis. Stat. § 8.19(3). |
| ELECTIONS DIVISION | Board Members, Director and General Counsel, Staff Counsels, Elections Division Administrator | Nomination Papers | 8.40 (3) | The board shall, by rule, prescribe standards consistent with this chapter and s. 9.10 (2) to be used by all election officials and governing bodies in determining the validity of petitions for elections and signatures thereon. Wis. Stat. § 8.40(3). |
| ELECTIONS DIVISION | Election Administration Team | Special Elections | 8.50 (1)(b) | If [a] special election concerns a national or state office, the board shall give notice as soon as possible to the county clerks. Wis. Stat. § 8.50(1)(b). |
| ELECTIONS DIVISION | Election Administration Team | Special Elections | 8.50 (1)(d) | When the election concerns a national office or a special election for state office is held concurrently with the general election, the board shall transmit to each county clerk a certified list of all persons for whom nomination papers have been filed in its office at least 62 days before the special primary, and in other cases the board shall transmit the list to each county clerk at least 22 days before the special primary. If no primary is required, the list shall be transmitted at least 42 days prior to the day of the special election unless the special election concerns a national office or is held concurrently with the general election, in which case the list shall be transmitted at least 62 days prior to the day of the special election. Wis. Stat. § 8.50(1)(d). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
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| ELECTIONS DIVISION | Election Administration Team | Recount | 9.01 (1)(ag)4. | The board shall deposit all moneys (recount fees) received by it into the account under s. 20.511 (1) (g), and shall pay the fees required for each recount to the county clerks of the counties in which the recount is to be held. |
| ELECTIONS DIVISION | Election Administration Team | Recount | 9.01 (1)(ar)3. | Whenever the board receives a valid recount petition and any payment under par. (ag) 3., the board shall promptly by certified mail or other expeditious means order the proper county boards of canvassers to commence the recount. |
| ELECTIONS DIVISION | Board Members | Recount | 9.01 (1)(ar)3. | The chairperson of the board or the chairperson's designee may not make a determination in any election if a recount is pending before any county board of canvassers in that election. |
| ELECTIONS DIVISION | Board Members | Recount | 9.01 (1)(ar)3. | The chairperson of the board or the chairperson's designee need not recount actual ballots, but shall verify the returns of the county boards of canvassers in making his or her determinations. |
| ELECTIONS DIVISION | Election Administration Team | Recount | 9.01 (2) | When the recount concerns an election for a state or federal office, the board shall promptly prepare a copy of the petition for delivery to each opposing candidate for the same office whose name appears on the ballot. In a recount proceeding for a partisan primary, the board shall prepare a copy of the petition for delivery to each opposing candidate for the same party nomination for the same office, to each opposing candidate for the party nomination of each other party for the same office and to each independent candidate qualifying to have his or her name placed on the ballot for the succeeding election. |
| ELECTIONS DIVISION | Election Administration Team | Recount | 9.01 (5)(c) | If the chairperson of the board or the chairperson's designee receives the recount results, the chairperson or designee shall publicly examine the returns and determine the results not later than 9 a.m. on the 3rd business day following receipt, but if that day is earlier than the latest day permitted for that election under s. 7.70 (3) (a), the chairperson of the board or designee may examine the returns and determine the results not later than the day specified in s. 7.70 (3)(a). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
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| ELECTIONS DIVISION | Election Administration Team | Recount | 9.01 (10) | The government accountability board shall prescribe standard forms and procedures for the making of recounts under this section. |
| ELECTIONS DIVISION | Election Administration Team | Recount | 9.01 (10) | The procedures prescribed by the government accountability board shall require the boards of canvassers in recounts involving more than one board of canvassers to consult with the government accountability board staff prior to beginning any recount in order to ensure that uniform procedures are used, to the extent practicable, in such recounts. |
| ELECTIONS DIVISION | Election Administration Team | Recall | 9.10 (3)(b) | Within 31 days after the petition is offered for filing, the board with whom the petition is offered for filing shall determine by careful examination whether the petition on its face is sufficient and so state in a certificate attached to the petition. |
| ELECTIONS DIVISION | Election Administration Team | Recall | 9.10 (3)(b) | If the board finds that the amended petition is sufficient, the board shall file the petition and call a recall election to be held on the Tuesday of the 6th week commencing after the date of filing of the petition. |
| ELECTIONS DIVISION | Election Administration Team | Election Notices | 10.01 (1) | The form of the various election notices shall be prescribed by the board to standardize election notices. To accomplish this purpose, the board shall make rules and draft whatever forms it considers necessary. The board shall also prescribe the provisions for municipal notices which shall be sent to each county clerk who shall immediately forward them to each municipal clerk. Wis. Stat. § 10.01 (1) |
| ELECTIONS DIVISION | Election Administration Team | Election Notices | 10.01 (1) | Notification or certification lists of candidates or referenda questions sent to the county clerks shall prescribe the form in which the county clerks shall publish the relevant portions of the notice and any additional county offices and referenda questions. Wis. Stat. § 10.01 (1) |
| ELECTIONS DIVISION | Election Administration Team | Election Notices | 10.01 (1) | The board shall also prescribe the provisions for municipal notices which shall be sent to each county clerk who shall immediately forward them to each municipal clerk. Wis. Stat. § 10.01 (1) |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|-----------------------|------------------------------|------------------|----------------------------|--|
| ELECTIONS DIVISION | Election Administration Team | Election Notices | 10.06 (1)(a) | On or before November 15 preceding a spring election the board shall send a type A notice to each county clerk. Wis. Stat. § 10.06 (1)(a) |
| ELECTIONS DIVISION | Election Administration Team | Election Notices | 10.06 (1)(c) | As soon as possible after the deadline for filing nomination papers for the spring election, but no later than the 2nd Tuesday in January, the board shall send a type B notice certifying the list of candidates to each county clerk if a primary is required. Wis. Stat. § 10.06 (1)(c) |
| ELECTIONS DIVISION | Election Administration Team | Election Notices | 10.06 (1)(e) | As soon as possible following the state canvass of the spring primary vote, but no later than the first Tuesday in March, the board shall send a type B notice certifying to each county clerk the list of candidates for the spring election. Wis. Stat. § 10.06 (1)(e) |
| ELECTIONS DIVISION | Election Administration Team | Election Notices | 10.06 (1)(e) | When there is a referendum, the board shall send type A and C notices certifying each question to the county clerks as soon as possible, but no later than the first Tuesday in March. Wis. Stat. § 10.06 (1)(e) |
| ELECTIONS DIVISION | Election Administration Team | Election Notices | 10.06 (1)(f) | On or before the 3rd Tuesday in March preceding a partisan primary and general election the board shall send a type A notice to each county clerk. Wis. Stat. § 10.06 (1)(f) |
| ELECTIONS DIVISION | Election Administration Team | Election Notices | 10.06 (1)(h) | As soon as possible after the deadline for determining ballot arrangement for the partisan primary on June 10, the board shall send a type B notice to each county clerk certifying the list of candidates for the partisan primary. Wis. Stat. § 10.06 (1)(h) |
| ELECTIONS DIVISION | Election Administration Team | Election Notices | 10.06 (1)(i) | As soon as possible after the state canvass, but no later than the 4th Tuesday in August, the board shall send a type B notice certifying the list of candidates and type A and C notices certifying each question for any referendum to each county clerk for the general election. Wis. Stat. § 10.06 (1)(i) |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
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| ETHICS DIVISION | Campaign Finance Team, Election Administration Team | Campaign Finance Registration & Reporting | 11.02 (1) | The board is the filing officer for each candidate for state office and for each committee which or individual who is acting in support of or in opposition to any candidate for state office, and for each committee which or individual who is acting in support of or in opposition to any candidates for state and local offices. Wis. Stat. §§ 11.02 (1), 11.02 (2). |
| ETHICS DIVISION | Campaign Finance Team, Election Administration Team | Campaign Finance Registration & Reporting | 11.02 (5) | The board is also the filing officer for each group which or individual who is acting in support of or in opposition to any statewide and local referenda. Wis. Stat. § 11.02 (5). |
| ETHICS DIVISION | Campaign Finance Team | Campaign Finance Registration & Reporting | 11.055 | The board collects filing fees and registration information for each individual who, or committee, group or corporation that, is required to register with the board under s. 11.05 or 11.38 (1). Wis. Stat. § 11.055. |
| ETHICS DIVISION | Ethics and Accountability Division Administrator, Campaign Finance Team | Campaign Finance Registration & Reporting | 11.21 (1) | The board shall prescribe forms for making the reports, statements and notices required by this chapter. The board shall furnish forms for making reports or statements without charge to all persons who are required to file reports or statements with the board, and shall distribute or arrange for the distribution of all forms for use by other filing officers. Wis. Stat. § 11.21 (1). |
| ETHICS DIVISION | Ethics and Accountability Division Administrator, Campaign Finance Team | Campaign Finance Registration & Reporting | 11.21 (3) | The board shall prepare and publish for the use of persons required to file reports and statements under this chapter a manual setting forth simply and concisely recommended uniform methods of bookkeeping and reporting. Wis. Stat. § 11.21 (3). |
| ETHICS DIVISION | Ethics and Accountability Division Administrator, Campaign Finance Team | Campaign Finance Registration & Reporting | 11.21 (4) | The board shall develop a filing, coding, and cross-indexing system consonant with the purposes of this chapter. Wis. Stat. § 11.21 (4). |
| ETHICS DIVISION | Campaign Finance Team | Campaign Finance Registration & Reporting | 11.21 (5) | The board shall make the reports and statements filed with it available for public inspection and copying. Wis. Stat. § 11.21(5). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|-----------------|-----------------------|---|---------------------|--|
| ETHICS DIVISION | Campaign Finance Team | Campaign Finance Registration & Reporting | 11.21 (7) | The board shall compile and maintain a current list of all reports and statements or parts thereof pertaining to each candidate, individual, committee, or group. Wis. Stat. §11.21(6). The board may also include compiled data for total contributions, disbursements, incurred obligations, and expenditures in its biennial report under s. 15.04(1)(d). Wis. Stat. § 11.21(7). |
| ETHICS DIVISION | Campaign Finance Team | Campaign Finance Registration & Reporting | 11.21 (11) | The board shall receive and maintain in an orderly manner all reports and statements required to be filed with the state under the federal election campaign act, and shall preserve such reports and statements for a period of 6 years from the date of receipt, as well as compile and maintain lists of all reports. Wis. Stat. § 11.21(11). |
| ETHICS DIVISION | Campaign Finance Team | Campaign Finance Registration & Reporting | 11.21 (14) | The board shall prepare and publish for the use of persons required to file reports and statements under this chapter a manual setting forth simply and concisely recommended uniform methods of bookkeeping and reporting. Wis. Stat. § 11.21(3), as well as a manual simply and concisely describing the filing and registration requirements established in this chapter in detail, as well as other major provisions of this chapter and ch. 12. Wis. Stat. § 11.21(14). |
| ETHICS DIVISION | Campaign Finance Team | Campaign Finance Registration & Reporting | 11.21 (16) | The board shall require each registrant that accepts contributions in excess of \$20,000 in a campaign period to file campaign finance reports electronically using software specified by rule. The software shall enable the registrant to sign the report electronically. Wis. Stat. § 11.21 (16) |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|-----------------|---|---|---------------------|--|
| ETHICS DIVISION | Board Members, Director and General Counsel, Staff Counsels, Ethics and Accountability Division Administrator | Campaign Finance Registration & Reporting | 11.21 (17) | The board shall promulgate rules that require public access channel operators and licensees of public television stations in this state to provide a minimum amount of free time on public access channels and public television stations to individuals whose names are certified under s. 7.08 (2) (a) or 8.50 (1) (d) to appear as candidates for state office on the ballot at general, spring, or special elections. The rules promulgated under this subsection shall require public access channel operators and licensees of public television stations to offer the same amount of time to each candidate for a particular state office, but may require different amounts of time to be offered to candidates for different offices. Wis. Stat. § 11.21(17). |
| ETHICS DIVISION | Board Members | Campaign Finance Registration & Reporting | 11.60 (4) | Except as otherwise provided in ss. 5.05 (2m) (c) 15. and 16. and (h), 5.08, and 5.081, the board may bring a civil action for violations of ch. 11. Wis. Stat. § 11.60(4). |
| ETHICS DIVISION | Lobbying Team | Lobbying | 13.63 (1)(a) | Upon approval of the application and payment of the applicable license fee under s. 13.75 (1) or (1m) to the board, the board shall issue a license which entitles the licensee to practice lobbying on behalf of each registered principal who or which has filed an authorization under s. 13.65 for that lobbyist and paid the authorization fee under s. 13.75 (4). The license shall expire on December 31 of each even-numbered year. Wis. Stat. § 13.63(1)(a). |
| ETHICS DIVISION | Lobbying Team | Lobbying | 13.685 (1) | The board shall prescribe forms and instructions for preparing and filing license applications under s. 13.63 (1), registration applications under s.13.64 and the statements required under ss. 13.68 and 13.695. Wis. Stat. § 13.685(1). |
| ETHICS DIVISION | Lobbying Team | Lobbying | 13.685 (2) | The board shall prepare and publish a manual setting forth recommended uniform methods of accounting and reporting for use by persons who are required to provide information under s. 13.68 (4) or to file statements under s. 13.68 or 13.695. Wis. Stat. § 13.685(2). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|-----------------|--|----------|---------------------|--|
| ETHICS DIVISION | Board Members, Director and General Counsel, Staff Counsels, Ethics and Accountability Division Administrator | Lobbying | 13.685 (4) | The board shall, by rule, define what constitutes a "topic" for purposes of ss. 13.67 and 13.68 (1) (bn). Wis. Stat. § 13.685(4). |
| ETHICS DIVISION | Lobbying Team | Lobbying | 13.685 (7) | Beginning with the 3rd Tuesday following the beginning of any regular or special session of the legislature and on every Tuesday thereafter for the duration of such session, the board shall, from its records, submit to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), a report of the names of lobbyists licensed under s. 13.63 and the names of officers and employees of agencies filed under s. 13.695 who were not previously reported, the names of the principals or agencies whom they represent and the general areas of legislative and administrative action which are the object of their lobbying activity. Wis. Stat. § 13.685(7). |
| ETHICS DIVISION | Lobbying Team, Board Members, Director and General Counsel, Staff Counsels, Ethics and Accountability Division Administrator | Lobbying | 13.74 | The board may audit statements filed with it under this chapter and may subpoena and bring before it any person or records relevant to an investigation. Wis. Stat. § 13.74. |
| ETHICS DIVISION | Statements of Economic Interests Team | Ethics | 19.45(6) | Collect and maintain notifications from state public officials on their interests in contracts or leases involving more than \$3000 per year in state funds |
| ETHICS DIVISION | Board Members, Director and General Counsel, Staff Counsels, Ethics and Accountability Division Administrator | Ethics | 19.48 (1) | The board shall promulgate rules necessary to carry out this subchapter and subch. III of ch. 13, giving prompt notice of the contents of its rules to state public officials who will be affected thereby. Wis. Stat. § 19.48(1). |
| ETHICS DIVISION | Statements of Economic Interests Team | Ethics | 19.48 (2) | The board shall prescribe and make available forms for use under this subchapter and subch. III of ch.13. Wis. Stat. § 19.48(2). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|--------------------|--|----------------|----------------------------|---|
| ETHICS DIVISION | Statements of Economic Interests Team | Ethics | 19.48 (4) | The board shall preserve the statements of economic interests filed with it for a period of six years from the date of receipt in such form as will facilitate document retention, except that upon expiration of three years after an individual ceases to be a state public official, is not elected, or is not confirmed by the senate as a nominee for appointed office, the board shall destroy any statements of economic interests. Wis. Stat. § 19.48(4). |
| ETHICS DIVISION | Statements of Economic Interests Team | Ethics | 19.48 (5) | The board shall make statements of economic interests available for public inspection and copying during regular office hours. Wis. Stat. § 19.48 (5). |
| ETHICS DIVISION | Statements of Economic Interests Team | Ethics | 19.48 (6) | The board shall make statements of economic interests available for public inspection and copying during regular office hours. Wis. Stat. § 19.48(5). The board shall also compile and maintain an index to all the statements of economic interests on file to facilitate public access. Wis. Stat. § 19.48(6). |
| ETHICS DIVISION | Statements of Economic Interests Team | Ethics | 19.48 (8) | The board shall report the full name and address of any individual or any person represented by an individual seeking to copy or obtain information from a statement of economic interests in writing to the individual who filed it, as soon as possible. Wis. Stat. § 19.48(8). |
| ETHICS DIVISION | Statements of Economic Interests Team | Ethics | 19.48 (9) | The board shall administer programs to explain and interpret this subchapter and subch. III of ch. 13 for state public officials, and for elective state officials, lobbyists, candidates for state public office, legislative officials, agency officials, lobbyists, as defined in s. 13.62, local public officials, corporation counsels and attorneys for local governmental units. The programs shall provide advice regarding appropriate ethical and lobbying practices, with special emphasis on public interest lobbying. The board may delegate creation and implementation of any such program to a group representing the public interest. The board may charge a fee to participants in any such program. Wis. Stat. § 19.48(9). |

| Authority | Person(s) Responsible | Subject | Statutory Reference | Duties |
|-------------------|---------------------------------------|-------------------|---------------------|---|
| GENERAL AUTHORITY | Public Information Officer | Contract Sunshine | 19.48 (11) | Maintain an Internet site on which the information required to be posted by agencies under s. 16.753 (4) can be posted and accessed. The information on the site shall be accessible directly or by linkage from a single page on the Internet. Wis. Stat. § 19.48 (11) |
| ETHICS DIVISION | Statements of Economic Interests Team | Ethics | 19.57 and 19.575 | Collect and maintain reports from the Wisconsin Economic Development Corporation and the Department of Tourism covering anything of value received for travel, conferences, and other events promoting tourism, business, or economic development |

| Accessibility Team | |
|---------------------------------------|---------------------|
| Accessibility Elections Specialist | Richard Rydecki |
| Elections Specialist | David Buerger |
| Voting Equipment Elections Specialist | Matthew Kitzman |
| SVRS Trainer | Christopher Doffing |
| SVRS UAT Lead | Ann Oberle |
| GIS Elections Specialist | Zachary Robinson |
| Office Operations Associate | Tony Bridges |

| Agency Management Team | |
|--|-----------------|
| Director and General Counsel | Kevin Kennedy |
| Chief Administrative Officer | Sharrie Hauge |
| Ethics and Accountability Division Administrator | Jonathan Becker |
| Elections Division Administrator | Michael Haas |
| Elections Supervisor | Ross Hein |

| Campaign Finance Team | |
|--------------------------------------|-------------------|
| Lead Campaign Finance Auditor | Richard Bohringer |
| Ethics and Accountability Specialist | Adam Harvell |
| Ethics and Accountability Specialist | Kyle Kundert |
| Elections and Ethics Specialist | Brian Bell |

| Elections Administration Team | |
|---------------------------------------|---------------------|
| Lead Elections Specialist | Diane Lowe |
| Elections Specialist | David Buerger |
| Elections Specialist | Marianne Griffin |
| Elections Specialist | Jennifer Webb |
| Voting Equipment Elections Specialist | Matthew Kitzman |
| Voter Services Elections Specialist | Meagan McCord-Wolfe |
| Accessibility Elections Specialist | Richard Rydecki |
| Training Coordinator | Allison Coakley |

| Elections Training Team | |
|---------------------------------------|---------------------|
| Training Coordinator | Allison Coakley |
| Office Operations Associate | Michael Kukula |
| SVRS Trainer | Juanita Borton |
| SVRS Trainer | Michael Nelson |
| SVRS Trainer | Christopher Doffing |
| Lead Elections Specialist | Diane Lowe |
| Elections Specialist | David Buerger |
| Elections Specialist | Marianne Griffin |
| Elections Specialist | Jennifer Webb |
| Voting Equipment Elections Specialist | Matthew Kitzman |
| Voter Services Elections Specialist | Meagan McCord-Wolfe |
| Accessibility Elections Specialist | Richard Rydecki |

| Help Desk | |
|-----------------------------|-------------------|
| Help Desk Lead | Steve Rossman |
| Help Desk Support | John Hoeth |
| Office Operations Associate | Tiffany Schwoerer |

| Lobbying Team | |
|--------------------------------------|-----------------|
| Ethics and Accountability Specialist | Molly Nagappala |
| Elections and Ethics Specialist | Brian Bell |

| Public Information Officer | |
|----------------------------|-------------|
| Public Information Officer | Reid Magney |

| Staff Counsels | |
|----------------|---------------|
| Staff Counsel | Nathan Judnic |
| Staff Counsel | Vacant |

| Statements of Economic Interests (SEI) Team | |
|---|-----------------|
| Ethics and Accountability Specialist | Adam Harvell |
| Ethics and Accountability Specialist | Molly Nagappala |

| Statewide Voter Registration System (SVRS) Team | |
|---|---------------------|
| Elections Supervisor | Ross Hein |
| SVRS Functional Lead | Sarah Whitt |
| SVRS UAT Lead | Ann Oberle |
| GIS Election Specialist | Zachary Robinson |
| SVRS Elections Specialist | Jodi Kitts |
| SVRS Elections Specialist | 3 Vacancies |
| SVRS Trainer | Juanita Borton |
| SVRS Trainer | Michael Nelson |
| SVRS Trainer | Christopher Doffing |
| Help Desk Lead | Steve Rossman |
| Help Desk Support | John Hoeth |

| UOCAVA Team | |
|---------------------------------------|---------------------|
| Voter Services Elections Specialist | Meagan McCord-Wolfe |
| Elections and Ethics Specialist | Brian Bell |
| Lead Elections Specialist | Diane Lowe |
| Elections Specialist | David Buerger |
| Elections Specialist | Marianne Griffin |
| Elections Specialist | Jennifer Webb |
| Voting Equipment Elections Specialist | Matthew Kitzman |
| Voter Services Elections Specialist | Meagan McCord-Wolfe |
| Accessibility Elections Specialist | Richard Rydecki |
| Training Coordinator | Allison Coakley |

| Voting Equipment Team | |
|---------------------------------------|-----------------|
| Voting Equipment Elections Specialist | Matthew Kitzman |
| Elections Supervisor | Ross Hein |
| Elections Specialist | David Buerger |
| Elections Specialist | Jennifer Webb |
| Accessibility Elections Specialist | Richard Rydecki |

State of Wisconsin \ Government Accountability Board

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the March 4-5 2015 Board meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Jonathan Becker

SUBJECT: Summary Report of 2014 Ethics Division Campaign Finance and Lobbying Activity

Attached are three documents detailing the Ethics Division's campaign finance and lobbying activity in 2014.

The first two documents relate to the Division's compliance activity. The first document provides an overview of the results of our regular audits of campaign finance reports. The audits were conducted in 2014 of campaign finance reports filed with respect to activity that occurred in 2013. Because 2013 was not a general election year, campaign finance activity was relatively quiet.

The second document is a detailed listing of all civil forfeitures collected for all violations of laws the Board administers. These include campaign finance violations as well as lobbying law violations. There were no ethics code violations in 2014 for which a forfeiture was assessed.

The third document is a summary of 2014 total reported campaign contributions and expenses.

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JUDGE GERALD C. NICHOL
Chair

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the March 4-5, 2015 Board Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy, Director and General Counsel
Wisconsin Government Accountability Board

Prepared by: Jonathan Becker, Adam Harvell
Ethics and Accountability Division

SUBJECT: 2014 Campaign Finance Audit Overview

Campaign Finance Audits

In addition to auditing filers for late reports and payment of the yearly filing fee, staff conducts various audits on campaign finance data received through the many reports filed with our office. An audit is one tool used to ensure compliance with campaign finance laws enforced by the G.A.B. An update on the status of audits conducted in 2014 is provided below:

- Late reports: During the calendar year 2014, more than 4,500 reports were filed, not including 48-hour reports. Of the almost 4,600 reports, 454 were filed late and civil penalties were assessed on 11 of those reports. A total of \$1,375 in civil penalties were collected.

| Filing Period | Total # of Rpts | # Late Rpts | Penalties | Total \$ Penalties |
|--------------------------|-----------------|-------------|-----------|--------------------|
| 2014 January Continuing | 1475 | 169 | 6 | \$750 |
| 2014 Spring Pre-Primary | 120 | 13 | 0 | \$0 |
| 2014 Spring Pre-Election | 142 | 23 | 0 | \$0 |
| 2014 July Continuing | 1513 | 161 | 3 | \$375 |
| 2014 Fall Pre-Primary | 521 | 42 | 2 | \$250 |
| 2014 Fall Pre-Election | 828 | 46 | 0 | \$0 |
| Total | 4599 | 454 | 11 | \$1375 |

- Late filing fees: Non-candidate committees with more than \$2,500 in activity in a calendar year are required to pay a \$100 filing fee. In 2014, staff collected fees for the 2013 calendar year. 353 committees paid timely. Three committees paid a \$200 penalty, and two

committees paid a \$400 penalty. Total penalties for late filing fees were \$1,400. Two terminated committees had their fee waived.

- Employer and Occupation information provided for contributions from an individual exceeding \$100: Six committees with substantial compliance issues for the 2013 calendar year were initially contacted. All six of these committees amended their reports to include this information and have been closed. No financial penalties were assessed.
- 48-Hour Reporting: Audits were performed for the three Assembly special elections in 2013, and the 2014 spring election cycle. Three candidates and one conduit from the 2013 special assembly elections had substantial compliance issues. Two candidates paid civil penalties of \$125 each, and the conduit paid \$46.50 for failure to file complete 48-hour reports. Total civil penalties were \$296.50. One candidate committee, Friends of Elizabeth Coppola, failed to respond to our audit inquiries and also failed to file required reports, and was placed on administrative suspension.
- Corporate Contributions: One committee voluntarily reported it had mistakenly transferred corporate funds to their PAC over several years. It paid a \$4,152 civil penalty. The regular 2014 corporate contribution audit was begun, and five committees were initially identified as possibly accepting contributions from businesses. Four committees corrected their reports and were cleared of corporate contributions. The response to the last committee was put on hold pending Judge Clevert's decision in the Barland II case. His decision on January 30, 2015 clarified that corporation contributions were not affected by his decision, and staff will resume enforcement activities.
- Registered lobbyist contributions outside the allowable window: Twenty-four lobbyists were originally identified as contributing to state-level partisan candidates outside of the allowable window. Nineteen lobbyists were cleared based on a variety of factors and no violation occurred. Five lobbyists admitted to contributing outside the allowable window and a total of \$1,025 in civil penalties was forfeited.
- Campaign period limit for individual office holders: Audits were performed on activity for the 2013 Assembly special elections and the 2014 spring election cycle. Two committees were initially contacted. One committee was cleared of any violations. One committee admitted to accepting a contribution in excess of the individual limits and paid a \$100 civil penalty.
- Committee limits audit: As of 2014, the 45%/65% committee limits have been ruled unconstitutional and staff has ceased enforcement of those provisions. Audits for single committee contribution limits were performed on activity for the 2013 Assembly special elections and the 2014 spring election cycle. Two committees were contacted regarding violations. One was cleared of any violation. One committee paid a civil penalty of \$500.
- A separate list of forfeitures collected in 2014, including forfeitures from the lobbying and financial interests programs, is attached. Committees placed on administrative suspension for failure to respond to correspondence are also included.

| Year | Name | Amount | Program Area | Reason |
|------|--|------------|------------------|-------------------------------------|
| 2014 | Volunteers for Agriculture VFA | \$4,152.00 | Campaign Finance | Improper Corporate Contribution |
| 2014 | Dennik, Robert | \$150.00 | Lobbying | Improper Lobbyist Contribution |
| 2014 | Lueck, Larry | \$450.00 | Lobbying | Improper Lobbyist Contribution |
| 2014 | McKenzie, Ellyn | \$75.00 | Lobbying | Improper Lobbyist Contribution |
| 2014 | Theo, Michael | \$250.00 | Lobbying | Improper Lobbyist Contribution |
| 2014 | Weller, Mark | \$100.00 | Lobbying | Improper Lobbyist Contribution |
| 2014 | Kulp for Assembly | \$100.00 | Campaign Finance | Individual Limits |
| 2014 | Citizens for Horlacher | \$500.00 | Campaign Finance | Committee Limits |
| 2014 | Friends for Jessie | \$125.00 | Campaign Finance | Incomplete 48 hour reporting |
| 2014 | Kulp for Assembly | \$125.00 | Campaign Finance | Incomplete 48 hour reporting |
| 2014 | Friends of Elizabeth Coppola | SUSPENDED | Campaign Finance | Incomplete 48 hour reporting |
| 2014 | Wisconsin Progress Conduit | \$46.50 | Campaign Finance | Incomplete 48 hour reporting |
| 2014 | Friends of Molly McGartland | \$125.00 | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | Hannah Dugan for Judge | \$125.00 | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | IBEW WI State Conference | \$125.00 | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | Marquette University College Republicans | \$125.00 | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | We Are Milwaukee PAC | \$125.00 | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | We Are Milwaukee, Inc. | \$125.00 | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | Friends of Elizabeth Coppola | SUSPENDED | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | Peter Rotter for Judge | SUSPENDED | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | Kristan T. Harris Campaign for Freedom | SUSPENDED | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | Daywin for Assembly | SUSPENDED | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | Dan Graupner for Wisconsin 47th District | SUSPENDED | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | Friends of Harriet Callier | SUSPENDED | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | Langlade County Republican Party | SUSPENDED | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | Sheboygan Education Assn PAC | SUSPENDED | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | West Allis Prof Police Assn PAC | SUSPENDED | Campaign Finance | Late January 2014 Continuing Report |
| 2014 | La Crosse County Republican Party | \$125.00 | Campaign Finance | Late July 2014 Continuing Rpt |
| 2014 | Sawyer County - Lac Courte Oreilles Democratic Party | \$125.00 | Campaign Finance | Late July 2014 Continuing Rpt |

| Year | Name | Amount | Program Area | Reason |
|------|--|-----------|------------------|--|
| 2014 | Pulcher for Assembly | \$125.00 | Campaign Finance | Late July 2014 Continuing Rpt |
| 2014 | Elect Roy Korte Judge | SUSPENDED | Campaign Finance | Late July 2014 Continuing Rpt |
| 2014 | Paula Cooper for Assembly | SUSPENDED | Campaign Finance | Late July 2014 Continuing Rpt |
| 2014 | Nichols for Wisconsin | SUSPENDED | Campaign Finance | Late July 2014 Continuing Rpt |
| 2014 | UW Eau Claire College Republicans | SUSPENDED | Campaign Finance | Late July 2014 Continuing Rpt |
| 2014 | Pulcher for Assembly | \$125.00 | Campaign Finance | Late Fall Pre-Primary Rpt |
| 2014 | Michael Schraa for Assembly | \$125.00 | Campaign Finance | Late Fall Pre-Primary Rpt |
| 2014 | American Fed of Teachers, #212 | \$200.00 | Campaign Finance | Late payment of 2012 Filing Fee* |
| 2014 | IBEW Local 494 PAC | \$200.00 | Campaign Finance | Late payment of 2012 Filing Fee* |
| 2014 | GOPAC Wisconsin | \$200.00 | Campaign Finance | Late payment of 2012 Filing Fee* |
| 2014 | We Are Milwaukee Political Action Committee | \$400.00 | Campaign Finance | Late payment of 2012 Filing Fee* |
| 2014 | We Are Milwaukee Incorporated | \$400.00 | Campaign Finance | Late payment of 2012 Filing Fee* |
| 2014 | Wisconsin Fire Protection Coalition | \$25.00 | Lobbying | Late 15-Day Reports |
| 2014 | Wisconsin Jobs Now | \$50.00 | Lobbying | Late 15-Day Reports |
| 2014 | Rehabilitation for Wisconsin in Action | \$250.00 | Lobbying | Late Statement of Lobbying Activities and Expenditures |
| 2014 | Marten Transport | \$50.00 | Lobbying | Late Statement of Lobbying Activities and Expenditures |
| 2014 | Wisconsin Chapter - American Academy of Pediatrics | \$100.00 | Lobbying | Late Statement of Lobbying Activities and Expenditures |
| 2014 | United Council of UW Students | \$125.00 | Lobbying | Late Statement of Lobbying Activities and Expenditures |
| 2014 | Milwaukee Teachers Education Association | \$100.00 | Lobbying | Late Statement of Lobbying Activities and Expenditures |

*Late payment of a filing fee is not a forfeiture, simply an increased fee. Payments go to program revenue rather than the common school fund.

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JUDGE GERALD C. NICHOL
 Chairperson

KEVIN J. KENNEDY
 Director and General Counsel

MEMORANDUM

DATE: For the March 3-4, 2015 Board Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Jonathan Becker, Ethics and Accountability Division Administrator

Prepared by: Brian M. Bell, MPA, Elections and Ethics Specialist

SUBJECT: 2014 Campaign Finance Contributions and Expenses Summary Report

Wisconsin political committees reported receiving more than \$111 million in contributions and spending more than \$122 million in 2014. State candidate committee activities represent the majority of reported political activity at approximately 55 and 52 percent, respectively.

| Code | Committee Type | Percentage | Contributions Amount |
|--------------|------------------------------------|------------|-------------------------|
| 01 | State Candidate | 54.52% | \$60,633,304.61 |
| 11 | Independent Disbursement Committee | 14.58% | \$16,212,114.46 |
| 05 | Political Action Committee | 12.50% | \$13,899,887.60 |
| 03 | Political Party | 12.11% | \$13,468,031.36 |
| 09 | Conduit | 4.54% | \$5,015,875.75 |
| 04 | Legislative Campaign Committee | 1.46% | \$1,619,381.87 |
| 07 | Referendum | 0.24% | \$263,631.83 |
| 06 | Recall | 0.09% | \$94,600.00 |
| TOTAL | | | \$111,206,827.48 |

| Code | Committee Type | Percentage | Expenses Amount |
|--------------|------------------------------------|------------|-------------------------|
| 01 | State Candidate | 51.93% | \$63,611,226.66 |
| 05 | Political Action Committee | 18.62% | \$22,806,850.36 |
| 11 | Independent Disbursement Committee | 16.20% | \$19,838,657.04 |
| 03 | Political Party | 10.21% | \$12,501,441.81 |
| 04 | Legislative Campaign Committee | 1.72% | \$2,110,507.06 |
| 08 | Sponsoring Organization | 0.90% | \$1,103,419.43 |
| 07 | Referendum | 0.34% | \$416,270.00 |
| 06 | Recall | 0.08% | \$94,600.00 |
| TOTAL | | | \$122,482,972.36 |

The tables on the following pages provide the top 20 committees based on reported contributions and expenses in 2014, grouped by committee type: state candidate committees, independent disbursement committees, political parties and legislative campaign committees, political action committees, conduits, referendum committees, and recall committees.

Candidate Committee Contributions and Expenses

| Committee | Contributions Amount | GAB_ID |
|--|----------------------|---------|
| Friends of Scott Walker | \$25,341,310.39 | 0102575 |
| Burke for Wisconsin | \$17,419,237.19 | 0105459 |
| Scott Walker - Rebecca Kleefisch Victory Committee | \$1,529,273.96 | 0104890 |
| Schimel for Attorney General | \$1,180,845.02 | 0104385 |
| Susan Happ for Wisconsin | \$1,055,280.14 | 0104655 |
| Roth For Wisconsin | \$456,155.47 | 0104439 |
| Taxpayers for Marklein | \$375,752.21 | 0104815 |
| Van Hollen for Attorney General | \$314,266.63 | 0103187 |
| Prosser Defense Fund | \$300,112.50 | 0100823 |
| Friends of Devin LeMahieu | \$276,012.09 | 0105206 |
| Bradley for Justice | \$265,303.85 | 0102050 |
| Penny Bernard Schaber Campaign | \$256,828.53 | 0104412 |
| John Lehman for Lt. Governor | \$256,654.87 | 0103455 |
| Scott Fitzgerald for Senate | \$254,434.37 | 0103112 |
| Citizens for Richards | \$253,144.81 | 0103633 |
| Nancy 4 Wisconsin | \$238,058.23 | 0105275 |
| Laning for Senate | \$221,003.53 | 0105467 |
| Dick Cates for Assembly | \$211,514.02 | 0105469 |
| Joel Kitchens for Assembly | \$204,700.84 | 0105512 |
| Hariprasad Trivedi Committee to Elect for Governor | \$184,697.19 | 0105051 |

| Committee | Expenses Amount | GAB_ID |
|--|-----------------|---------|
| Friends of Scott Walker | \$29,673,716.22 | 0102575 |
| Burke for Wisconsin | \$16,785,391.26 | 0105459 |
| Scott Walker - Rebecca Kleefisch Victory Committee | \$1,449,356.84 | 0104890 |
| Schimel for Attorney General | \$1,339,989.59 | 0104385 |
| Susan Happ for Wisconsin | \$997,283.07 | 0104655 |
| Dick Cates for Assembly | \$541,704.92 | 0105469 |
| Taxpayers for Marklein | \$487,983.54 | 0104815 |
| Roth For Wisconsin | \$411,331.89 | 0104439 |
| Citizens for Richards | \$349,755.52 | 0103633 |
| Penny Bernard Schaber Campaign | \$344,055.05 | 0104412 |
| John Lehman for Lt. Governor | \$274,162.45 | 0103455 |
| Scott Fitzgerald for Senate | \$249,742.10 | 0103112 |
| Laning For Senate | \$245,719.45 | 0105467 |
| Nancy 4 Wisconsin | \$235,719.09 | 0105275 |
| Friends of Devin LeMahieu | \$228,132.57 | 0105206 |
| Rohrkaste for Assembly | \$189,195.40 | 0105582 |
| Friends of Kathy Bernier | \$180,574.15 | 0104939 |
| Joel Kitchens for Assembly | \$175,974.60 | 0105512 |
| Taxpayers for Lasee | \$155,797.59 | 0103174 |
| Friends of Van Wanggaard | \$153,183.16 | 0104422 |

Independent Disbursement Committees Contributions and Expenditures

| Committee | Contributions Amount | GAB_ID |
|--|-----------------------------|---------------|
| Greater Wisconsin Political Independent Expenditure Fund | \$4,095,000.00 | 1100012 |
| We Are Wisconsin Political Fund | \$3,667,476.88 | 1100040 |
| WI League of Conservation Voters Independent Expenditure Committee | \$2,262,600.00 | 1100028 |
| Wisconsin WOMEN VOTE | \$1,390,000.00 | 1100068 |
| American Federation for Children Action Fund - Wisconsin IE Committee | \$892,395.91 | 1100001 |
| Workers' Voice | \$806,986.15 | 1100051 |
| Committee for Justice & Fairness - Wisconsin | \$787,087.27 | 1100074 |
| America Votes Action Fund | \$670,000.00 | 1100025 |
| Progressive Kick Wisconsin IE Committee | \$459,000.00 | 1100022 |
| Citizen Action of Wisconsin Inc. | \$216,275.00 | 1100009 |
| Wisconsin REALTORS Political Fund -1.91 Account | \$199,381.35 | 1100058 |
| Fire Fighters for a Better Wisconsin | \$170,845.89 | 1100031 |
| United Food and Commercial Workers International Union Working Families Advocacy Project | \$170,495.74 | 1100077 |
| DLCC Wisconsin Action | \$170,050.00 | 1100080 |
| Wisconsin Recall Action Fund | \$66,259.10 | 1100035 |
| USW Works | \$56,690.27 | 1100073 |
| Educators For Better Schools | \$35,005.59 | 1100081 |
| Wisconsin Family Action, Inc. - 1.91 Account | \$30,080.00 | 1100059 |
| Fair Wisconsin, Inc. | \$26,980.00 | 1100079 |
| Voces de la Frontera Action Committee | \$10,000.00 | 1100002 |
| Committee | Expenses Amount | GAB_ID |
| We Are Wisconsin Political Fund | \$3,638,421.18 | 1100040 |
| National Rifle Association of America | \$2,532,741.11 | 1100047 |
| WI League of Conservation Voters Independent Expenditure Committee | \$2,405,276.41 | 1100028 |
| Wisconsin WOMEN VOTE | \$2,350,000.00 | 1100068 |
| Greater Wisconsin Political Independent Expenditure Fund | \$2,151,585.25 | 1100012 |
| American Federation for Children Action Fund - Wisconsin IE Committee | \$868,121.78 | 1100001 |
| Committee for Justice & Fairness - Wisconsin | \$803,979.54 | 1100074 |
| Workers' Voice | \$749,366.94 | 1100051 |
| America Votes Action Fund | \$670,000.00 | 1100025 |
| American Federation for Children Action Fund Inc. | \$499,500.00 | 1100056 |
| Jobs & Opportunity Wisconsin | \$437,412.27 | 1100069 |
| Progressive Kick Wisconsin IE Committee | \$411,710.10 | 1100022 |
| National Nurses United for Patient Protection | \$411,010.00 | 1100076 |
| Planned Parenthood Advocates of WI, Inc | \$342,897.21 | 1100008 |
| Wisconsin REALTORS Political Fund -1.91 Account | \$249,012.70 | 1100058 |
| Planned Parenthood Advocates of Wisconsin Political Fund | \$225,139.69 | 1100010 |
| Citizen Action of Wisconsin Inc. | \$212,446.70 | 1100009 |
| United Food and Commercial Workers International Union Working Families Advocacy Project | \$170,495.74 | 1100077 |
| DLCC Wisconsin Action | \$170,025.00 | 1100080 |
| Fire Fighters for a Better Wisconsin | \$166,282.26 | 1100031 |

Political Parties and Legislative Campaign Committees Contributions and Expenses

| Committee | Contributions Amount | GAB_ID |
|---|-----------------------------|---------------|
| Republican Party of Wisconsin | \$7,698,641.21 | 0300173 |
| Democratic Party of Wisconsin | \$4,144,587.60 | 0300054 |
| Rep Assembly Campaign Com RACC | \$607,187.57 | 0400002 |
| Assembly Democratic Camp Committee | \$494,774.68 | 0400001 |
| State Senate Democratic Committee | \$269,907.52 | 0400003 |
| Committee to Elect a Republican Senate | \$247,512.10 | 0400005 |
| Waukesha County Republican Party | \$146,412.12 | 0300226 |
| Republican Party of Walworth County | \$47,822.47 | 0300171 |
| Libertarian Party of WI | \$45,281.38 | 0300010 |
| Eau Claire County Democratic Party | \$44,470.52 | 0300036 |
| Republican Party of Milwaukee County | \$42,192.03 | 0300166 |
| Milwaukee County Democratic Party | \$42,150.50 | 0300040 |
| Republican Party - Dane County | \$41,320.00 | 0300157 |
| Sheboygan Co Republican Party | \$35,292.03 | 0300169 |
| Democratic Party of Dane County | \$31,691.52 | 0300032 |
| Barron County Republican Party | \$27,608.17 | 0300322 |
| Fond du Lac Co Republican Pty | \$27,453.00 | 0300072 |
| Republican Women-Waukesha County | \$27,237.99 | 0300227 |
| Wisconsin Federation of College Republicans | \$26,398.46 | 0300245 |
| Republican Party-Ozaukee Co. | \$24,955.14 | 0300136 |

| Committee | Expenses Amount | GAB_ID |
|--|------------------------|---------------|
| Republican Party of Wisconsin | \$7,259,450.52 | 0300173 |
| Democratic Party of Wisconsin | \$3,473,610.33 | 0300054 |
| Rep Assembly Campaign Com RACC | \$942,933.82 | 0400002 |
| Assembly Democratic Camp Committee | \$531,444.25 | 0400001 |
| State Senate Democratic Committee | \$328,838.50 | 0400003 |
| Committee to Elect a Republican Senate | \$307,290.49 | 0400005 |
| Waukesha County Republican Party | \$133,756.36 | 0300226 |
| Republican Party of Walworth County | \$59,340.03 | 0300171 |
| Republican Party of Milwaukee County | \$52,163.15 | 0300166 |
| Libertarian Party of WI | \$48,762.52 | 0300010 |
| Democratic Party of Dane County | \$41,952.40 | 0300032 |
| Republican Party - Dane County | \$40,736.91 | 0300157 |
| Barron County Republican Party | \$39,554.38 | 0300322 |
| Milwaukee County Democratic Party | \$37,912.22 | 0300040 |
| Eau Claire County Democratic Party | \$37,597.30 | 0300036 |
| Fond du Lac Co Republican Pty | \$33,013.19 | 0300072 |
| Sheboygan Co Republican Party | \$29,849.02 | 0300169 |
| Republican Party of Brown Co | \$29,785.71 | 0300017 |
| Portage County Democratic Party | \$29,288.05 | 0300144 |
| Republican Women-Waukesha County | \$27,416.18 | 0300227 |

Political Action Committees Contributions and Expenses

| Committee | Contributions Amount | GAB_ID |
|--|-----------------------------|---------------|
| AFSCME-WI Special Acct. | \$5,462,692.00 | 0501327 |
| Greater Wisconsin Committee Political Action Committee | \$1,540,242.47 | 0501272 |
| WEAC PAC | \$659,090.36 | 0500189 |
| Prosser Victory Recount Fund | \$334,753.52 | 0501489 |
| Direct Supply Inc Partners PAC | \$323,670.82 | 0501288 |
| IAFF FIREPAC Wisconsin Non-Federal | \$283,800.00 | 0501074 |
| Assurant Inc. PAC | \$228,705.73 | 0500664 |
| United Wisconsin | \$165,447.16 | 0501445 |
| Volunteers for Agriculture VFA | \$165,221.10 | 0500842 |
| RPAC - Wisconsin | \$160,938.10 | 0500146 |
| IBEW-PAC | \$138,607.77 | 0500888 |
| Service Employees International Union Committee on Political Education | \$130,664.63 | 0501496 |
| UFCW ABC Education Political Fund | \$113,954.03 | 0501437 |
| Building A Better WI | \$109,857.46 | 0500030 |
| General Electric Company Political Action Committee (GEPAC) | \$95,660.34 | 0500934 |
| UAW WI State PAC | \$94,260.96 | 0500217 |
| Operating Engineers 139 PAC | \$94,152.46 | 0500583 |
| WI PEOPLE Conference | \$93,000.00 | 0500380 |
| USW DISTRICT 2 WI NON-FEDERAL ACCOUNT | \$91,400.00 | 0501634 |
| Progressives United for Wisconsin | \$89,105.76 | 0501614 |

| Committee | Expenses Amount | GAB_ID |
|--|------------------------|---------------|
| Right Direction Wisconsin PAC | \$5,874,016.14 | 0501405 |
| AFSCME-WI Special Acct. | \$5,462,892.00 | 0501327 |
| WEAC PAC | \$2,205,939.17 | 0500189 |
| Greater Wisconsin Committee Political Action Committee | \$1,558,237.19 | 0501272 |
| Volunteers for Agriculture VFA | \$477,211.46 | 0500842 |
| Prosser Victory Recount Fund | \$349,912.28 | 0501489 |
| IAFF FIREPAC Wisconsin Non-Federal | \$305,912.80 | 0501074 |
| Direct Supply Inc Partners PAC | \$220,610.01 | 0501288 |
| Assurant Inc. PAC | \$203,456.45 | 0500664 |
| United Wisconsin | \$182,247.58 | 0501445 |
| RPAC - Wisconsin | \$168,758.30 | 0500146 |
| Operating Engineers 139 PAC | \$166,295.00 | 0500583 |
| IBEW-PAC | \$136,728.00 | 0500888 |
| Service Employees International Union Committee on Political Education | \$130,664.63 | 0501496 |
| MTI Voters (Voice of Teachers) | \$126,633.00 | 0500373 |
| UFCW ABC Education Political Fund | \$113,954.03 | 0501437 |
| Progressives United for Wisconsin | \$113,411.55 | 0501614 |
| WI Laborers District Council | \$112,215.00 | 0500394 |
| UAW WI State PAC | \$110,827.00 | 0500217 |
| IBEW Local 494 PAC | \$107,100.00 | 0500778 |

Conduit Committees Contributions and Expenses (Contributions to other Committees)

| Committee | Contributions Amount | GAB_ID |
|-------------------------------|-----------------------------|---------------|
| Wisconsin Hospitals Conduit | \$342,532.43 | 0900061 |
| ActBlue Wisconsin | \$308,449.92 | 0900188 |
| Realtors Direct Giver Program | \$250,931.55 | 0900010 |
| Chiropractic Health Info & Ed | \$227,584.39 | 0900006 |
| Alliance of Bankers for WI | \$173,589.28 | 0900017 |
| WDA Direct Giver Program | \$163,686.01 | 0900066 |
| WMC Conduit | \$161,630.00 | 0900007 |
| Majority GOP Conduit | \$142,077.50 | 0900048 |
| Direct Givers/Waukesha County | \$139,980.00 | 0900073 |
| Justice Fund | \$137,685.00 | 0900206 |
| WI Beer Distributors Conduit | \$123,275.00 | 0900083 |
| Michels Corporation Conduit | \$105,450.00 | 0900218 |
| WISmed DIRECT | \$97,904.50 | 0900021 |
| Builders Direct Fund | \$92,183.00 | 0900036 |
| Wisconsin HMOs - Conduit | \$89,804.00 | 0900054 |
| Wisconsin Progress Conduit | \$81,689.10 | 0900223 |
| Whyte Hirschboeck Gov Affairs | \$78,850.00 | 0900193 |
| WI Energy Corporation PCA | \$65,323.35 | 0900005 |
| Friends of WI Bear Hunters | \$64,300.00 | 0900124 |
| WI Institute-CPAs Leg Involve | \$63,650.00 | 0900031 |

| Committee | Expenses Amount | GAB_ID |
|-------------------------------|------------------------|---------------|
| ActBlue Wisconsin | \$320,047.00 | 0900188 |
| Wisconsin Hospitals Conduit | \$245,078.50 | 0900061 |
| Chiropractic Health Info & Ed | \$226,984.39 | 0900006 |
| Realtors Direct Giver Program | \$202,621.10 | 0900010 |
| WMC Conduit | \$159,065.00 | 0900007 |
| Alliance of Bankers for WI | \$146,309.80 | 0900017 |
| WDA Direct Giver Program | \$143,050.01 | 0900066 |
| Direct Givers/Waukesha County | \$131,630.00 | 0900073 |
| WI Beer Distributors Conduit | \$117,800.00 | 0900083 |
| Majority GOP Conduit | \$117,522.50 | 0900048 |
| Michels Corporation Conduit | \$103,450.00 | 0900218 |
| Builders Direct Fund | \$91,113.00 | 0900036 |
| Wisconsin HMOs - Conduit | \$86,279.00 | 0900054 |
| Justice Fund | \$76,770.00 | 0900206 |
| Wisconsin Progress Conduit | \$67,198.71 | 0900223 |
| Whyte Hirschboeck Gov Affairs | \$64,675.00 | 0900193 |
| Michael Best & Friedrich Cond | \$60,643.17 | 0900140 |
| WI Institute-CPAs Leg Involve | \$60,050.00 | 0900031 |
| WISmed DIRECT | \$56,620.00 | 0900021 |
| Children's Great Schools Fund | \$55,637.33 | 0900141 |

Recall Committees Contributions and Expenses

| Committee | Contributions Amount | GAB_ID |
|------------------------------|-----------------------------|---------------|
| Committee to Recall Harsdorf | \$38,500.00 | 0600015 |
| Committee to Recall Olsen | \$21,000.00 | 0600010 |
| Committee to Recall Cowles | \$20,500.00 | 0600011 |
| Committee to Recall Darling | \$14,600.00 | 0600009 |

| Committee | Expenses Amount | GAB_ID |
|------------------------------|------------------------|---------------|
| Committee to Recall Harsdorf | \$38,500.00 | 0600015 |
| Committee to Recall Olsen | \$21,000.00 | 0600010 |
| Committee to Recall Cowles | \$20,500.00 | 0600011 |
| Committee to Recall Darling | \$14,600.00 | 0600009 |

Referendum Committees Contributions and Expenses

| Committee | Contributions Amount | GAB_ID |
|-----------------------------|-----------------------------|---------------|
| Vote Yes for Transportation | \$263,631.83 | 0700112 |

| Committee | Expenses Amount | GAB_ID |
|---|------------------------|---------------|
| Vote Yes for Transportation | \$416,214.20 | 0700112 |
| Coalition to STOP Legalized Gambling in Wisconsin | \$55.80 | 0700044 |

State of Wisconsin\Government Accountability Board

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the March 4-5, 2015 Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy, Director and General Counsel
Wisconsin Government Accountability Board

SUBJECT: Selection of U.S. EAC Standards Board Members

This memorandum presents a proposed process for consideration by the Government Accountability Board for selection of a state election official and a local election official to serve on the Standards Board which advises the U.S. Elections Assistance Commission.

Background

The Help America Vote Act of 2002 (HAVA) establishes a Standards Board consisting of a state election official and a local election official from each state, the District of Columbia and the four Territories of American Samoa, Guam, Puerto Rico and the U.S. Virgin Islands. 42 USC 15341 et seq. The Standards Board Members review the voluntary voting systems guidelines established by HAVA, the voluntary guidance provided by the U.S. Elections Assistance Commission (EAC) under HAVA Title III and the best practices recommendations provided by the EAC.

Under HAVA, the state election official is selected by the chief State election official of each state. Wisconsin law provides that the Elections Division Administrator, in consultation with the Board, shall appoint the state election official to serve on the Standards Board. Wis. Stat. § 5.055. The executive director of the former state elections board initially served as the state election official on the Standards Board. On January 28, 2008, based on the recommendation of the Director and General Counsel, the Government Accountability Board approved the appointment of the Elections Division Administrator to serve as the state election official on the Standards Board.

HAVA provides that the local election officials in each state shall select a local election official under a process supervised by the chief State election official. Wisconsin law provides that the Elections Division Administrator shall conduct and supervise a process for the selection of an election official by county and municipal clerks and boards of election commissioners to represent local election officials as a member of the Standards Board. Wis. Stat. § 5.055.

In 2004, Sandi Wesolowski, the Franklin City Clerk, was selected to serve as the local election official on the Standards Board. At the time the Standards Board suspended its operations Sandi was Vice-Chair of the Executive Committee.

Since late 2011 the U.S. Elections Assistance Commission has been without any of its four Commissioners. This changed in January, 2015 when the U.S. Senate confirmed three Commissioners. During the period of time without Commissioners, the Standards Board was unable to meet. All states have recently been asked by the EAC to submit the names of their Standards Board Members to the reconstituted EAC.

Earlier this month I consulted with Board Chair Nichol about membership on the Standards Board. We agreed that in order to ensure Wisconsin representation on the Standards Board, Elections Division Administrator Mike Haas and Sandi Wesolowski should serve on the Standards Board until the G.A.B. acts on a proposal from the Director and General Counsel on how to proceed.

Proposed Process

Consistent with the statutes governing selection of Wisconsin representatives to the Standards Board, I recommend the G.A.B. approve Election Division Administrator Mike Haas as the state election official to serve on the U.S. Elections Assistance Commission Standards Board. This designation shall continue until another individual assumes the position of Elections Division Administrator or the statute changes. In the event Mike is unable to participate in a meeting of the Standards Board, he may designate another agency staff member to serve in his place.

Consistent with the statutes governing selection of Wisconsin representatives to the Standards Board, I recommend the G.A.B. approve the following process for selecting the local election official to serve on the Standards Board. The Election Division Administrator shall contact the organizations representing local election officials and ask them to designate an individual to serve on a selection committee. The groups we would ask to participate are the Wisconsin County Clerks Association, the Wisconsin Municipal Clerks Association, the Wisconsin Towns Association, the Milwaukee City Election Commission and the League of Wisconsin Municipalities. Each of these groups represents some segment of local election officials. There are more entities representing municipal clerks (four) than county clerks (one), but there are also many more municipal clerks (1,852) with election responsibilities than county clerks (72).

The agency staff would provide each organization with an announcement to distribute to its members. The announcement would describe the application process and would also be posted on the G.A.B. website. Mike Haas would then convene the selection committee to review applications and choose a local election official to serve on the Standards Board.

I recommend the individual be appointed for a four-year term beginning November 1, 2015. This would enable the individual to serve through a full election cycle with a general and presidential election. It would also ensure continuity in the position. In the interim, Sandi Wesolowski would continue to serve as the local election official on the U.S. Elections Assistance Commission Standards Board.

Recommended Motion:

The Government Accountability Board approves the proposed process for selection of Wisconsin election official representatives to serve on the the U.S. Elections Assistance Commission Standards Board outlined above and directs staff to initiate its implementation.

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the March 4-5, 2015 Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy, Director and General Counsel
Wisconsin Government Accountability Board

Prepared by: Kevin J. Kennedy, Director and General Counsel
Sharrie Hauge, Chief Administrative Officer

SUBJECT: Delegation of Certain Authority to Director and General Counsel

At the January 21, 2015 Board meeting, the annual delegation of authority was determined. This delegation of authority is done at the beginning of each calendar year or in the event of a transition in the position of the Director and General Counsel. The delegation for each year continues in effect until the Board acts in the subsequent year, or unless the Board acts to modify such delegation during the calendar year.

In 2014, the Board decided to clarify the Director and General Counsel authority to sign contracts on behalf of the agency. The Director and General Counsel is authorized to execute and sign contracts on behalf of the Board, except as provided in Wis. Stat. § 5.05(2m). For any contract involving a sum over \$100,000, the Director must first consult with the Board Chair.

While the Board approved this delegation, there was much discussion about how much detail Board members wish to receive about contracts for routine purchases. By consensus, Board members decided to keep Section 6 as proposed above, but wanted to revisit it at the March Board meeting.

The staff would like to clarify the types of procurements/purchasing it does on behalf of the agency and the different types of payments it makes to determine the level of detail the Board would like moving forward.

Types of procurement/purchasing

Statewide contract – The Department of Administration (DOA) bids on products or services that frequently are used throughout the state (office supplies, IT hardware and software, and temporary and IT services) and negotiates the contractual terms. Some of these contracts are mandatory for state agencies to use. Most contracts require a purchase order for payment of the goods or services, though some vendors also accept purchasing cards (p-cards). This is the most common way

purchasing staff at the Government Accountability Board obtain goods and services. The IT Contractors that upgrade and maintain our computer applications are procured through a statewide contract. We also hire temporary services staff for the Accessibility Surveys, lease photocopy machines, buy office supplies, computers and software through a statewide contract.

Best judgment – Agency may procure from any vendor when the commodity or service costs \$5,000 or less. A best judgment purchase may not be used for goods or services available on a mandatory statewide contract. This is another common way purchasing staff at the G.A.B. obtain goods. For example, the annual subscriptions and membership dues to the National Association of State Elections Directors (NASSED) are purchased through this method.

Simplified bid – A bid for a good or service estimated at a cost of between \$5,000 and \$50,000. This method of procurement is rarely used at the G.A.B. The Four Year Maintenance printing is bid in this manner every two years.

Request for Bid/Proposal – A bid or proposal for a good or services estimated at a cost of greater than \$50,000. This method of procurement is rarely used at the G.A.B. The Voter ID media campaign was procured through this method in 2011.

Sole Source – Used to purchase a good or services that is unique or proprietary from only one source, or there are substantial time pressures. A sole source waiver for a purchase greater than \$25,000 requires the governor's approval. This method of procurement is rarely used at the G.A.B. The contract for a usability expert to assist in redesigning the MyVote website, which was for slightly less than \$25,000, was procured through this method in 2013.

(See attached summary of supplies and services purchased through various procurement methods.)

Types of payment

Purchase Order – One of the most common ways we pay for goods or services at the G.A.B. A purchase order is a signed agreement promising the vendor we will pay for the specified goods or services at the agreed rate. Most statewide contracts require a purchase order.

Purchasing Card (state issued credit card) – Another common way we pay for goods at the G.A.B., including travel costs (hotel, flight, and conference registration fees), subscriptions, and in instances where a check is not accepted. A single transaction on a p-card must be less than \$5,000. A p-card can sometimes be used to pay for goods purchased off a statewide contract.

Direct Bill – Direct billing is used to pay subscription fees, office supplies, rent, shipping charges, and utilities. With this method of payment, an invoice is sent to the agency, and paid directly to the vendor, with no purchase order contract.

General Service Billing (GSB) – DOA charges the G.A.B. for services and goods such as IT servers, printing at the DOA print shop, postage, and fleet vehicle usage. This is billed monthly.

The staff recommends the following:

- 1) Pre-approval from Board to enter into a sole source contract regardless of the dollar amount.
- 2) Pre-approval from Board for purchases from a statewide contract over \$100,000
- 3) Pre-approval from Board prior to posting a Request for Proposal or Request for Bid
- 4) Staff provide quarterly expenditure reports.

Attachment

| Supply/Service | Purpose | Vendor | Type of Procurement | Type of Payment | Annual Amount |
|---|---|---------------------------------------|---------------------|-----------------|---------------|
| Advertising/Legal Notices | Photo ID Campaign | Knupp & Watson | RFP | Purchase Order | \$ 17,300 |
| Contractual Services | Photo ID Campaign | WI Broadcasters Association | Statewide contract | Purchase Order | \$ 9,000 |
| Contractual Services | Usability Training | Center for Civic Design | Sole Source | Purchase Order | \$ 12,499 |
| Contractual Services | Translate GAB forms to Spanish | Lone Star Interpreters, LLC | Statewide contract | Purchase Order | \$ 70 |
| Contractual Services/ Temp Agency | Accessibility Surveys | Hiring & Staff Services, Inc. | Statewide contract | Purchase Order | \$ 20,046 |
| Dues and Subscriptions | One Year Subscription | Election Administration Report | Best Judgement | Direct bill | \$ 219 |
| Dues and Subscriptions | One Year Subscription | Ballot Access News | Best Judgement | Direct bill | \$ 16 |
| Dues and Subscriptions | Membership Dues 2015 | NASED | Best Judgement | Direct bill | \$ 600 |
| Data Processing - Private Vendors | Dedicated IP Address | Cruiskeen Consulting, LLC | Best Judgement | Direct bill | \$ 2,560 |
| Data Processing - Private Vendors | IT Contractor - (Ethics) | Tapfin - State Contract | Statewide contract | Purchase Order | \$ 156,000 |
| Data Processing - Private Vendors | IT Contractors - 5 for (Elections) | Tapfin - State Contract | Statewide contract | Purchase Order | \$ 884,000 |
| Data Processing - Private Vendors | CFIS Maintenance & Support | PCC Technology Group, LLC | RFB | Direct bill | \$ 190,080 |
| Data Processing - Private Vendors | Contract Sunshine Maint & Support | Sundial Software | Best Judgement | Direct bill | \$ 1,188 |
| Data Processing - State | General Services Bills | DOA | n/a | GSB | \$ 500,000 |
| Mailings - Postage | General Services Bills | DOA | n/a | GSB | varies |
| Maint & Repair - Other Equipment | Photocopier Maintenance | Kyocera | Statewide contract | Purchase Order | \$ 6,240 |
| Minor Equipment & Software | Elite Notebook Computer | Paragon Development Systems | Statewide contract | Purchase Order | \$ 1,185 |
| Non-State or Non-STS Calls | Local Service/Voice Mail/T1 Line | AT&T | Statewide contract | Direct bill | \$ 39,795 |
| Printing | Filing Notice, Envelopes | Badger State Industries | Statewide contract | Direct bill | varies |
| Printing | General Services Bills | DOA | n/a | GSB | varies |
| Rent/Lease of Equipment | Lease of three Photocopiers | Kyocera | Statewide contract | Purchase Order | \$ 5,463 |
| Rent Privately -Owned Space | 212 East Washington Ave, 3rd Floor | 10 West Family | n/a | Direct bill | \$ 269,982 |
| Rent of State-Owned Space | IT Contractors at DOR Building | DOA | n/a | Direct bill | \$ 63,774 |
| Materials & Supplies - Other | Office Supplies | Staples | Statewide contract | Direct bill | \$ 3,500 |
| Other Telecommunications | Conference Calls | UW Extension | Statewide contract | Direct bill | \$ 300 |
| Travel & Training/In-State & Out-of-State | Meetings, conferences, Training | Employees | n/a | Direct bill | \$ 15,000 |
| Other Travel & Training Exp | Hotels, Conference fees, Flights, Board reimbursement | P-card, Board members, municipalities | n/a | varies | \$ 35,000 |

State of Wisconsin \ Government Accountability Board

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the March 4-5, 2015 Board Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy – Director and General Counsel

Prepared and Presented by:
Brian M. Bell, MPA – Ethics and Accountability Specialist

SUBJECT: Legislative Status Report

NEW LEGISLATION

1. *Assembly Joint Resolution 1 and Senate Joint Resolution 2: Election of chief justice (second consideration).*

This constitutional amendment, to be given second consideration by the 2015 Legislature for submittal to the voters in a statewide constitutional referendum in April 2015, was first considered by the 2013 legislature in 2013 Senate Joint Resolution 57, which became 2013 Enrolled Joint Resolution 16. The amendment directs the Supreme Court to elect a chief justice for a term of two years.

Senate Joint Resolution 2: Passed by the Senate by a vote of 17-14; passed by the Assembly by a vote of 62-34-2-1 (Aye – Nay – Paired – Not voting).

2. *Assembly Joint Resolution 8 and Senate Joint Resolution 12: An advisory referendum on an amendment to the U.S. Constitution.*

This resolution places a question on the November 2016 ballot to ask the people if Congress should propose an amendment to overturn *Citizens United v. F.E.C.*

3. *Assembly Bill 9 and Senate Bill 6: Legislative Audit Bureau access to documents maintained by state agencies and authorizing the Government Accountability Board to provide investigatory records to the Legislative Audit Bureau.*

These bills clarify LAB authority to have access to all state agency documents by providing that LAB also has specific access to state agency documents that relate to agency expenditures, revenues, operations, and structure that are confidential by law. In addition, the bill requires GAB to provide investigatory records to LAB to the extent necessary for LAB to carry out its duties.

Joint Legislative Audit Committee: Public hearing held on January 21, 2015. Executive session held on January 22, 2015. The committee recommended passage of both bills unanimously.

Senate Bill 6: Passed by the Senate by voice vote; passed by the Assembly by voice vote.

4. *Assembly Bill 21 and Senate Bill 21: state finances and appropriations constituting the executive budget act of the 2015 legislature.*

This bill is the "executive budget bill" under section 16.47 (1) of the statutes. It contains the governor's recommendations for appropriations for the 2015-2017 fiscal biennium.

5. *Assembly Bill 55 and Senate Bill 27: shareholder objections to corporate political expenditures.*

Current law defines "disbursement," for purposes relating to campaign financing, to include a purchase, payment, loan, or gift made for political purposes; an authorized expenditure from a campaign depository account; and a payment for a broadcast or print communication to the general public for a political purpose.

This bill requires corporations to give written notice to their shareholders before making disbursements, as defined under current campaign finance law. The corporation is required to give only one notice for each corporate fiscal year. The notice must include a form that the shareholder may complete and return to the corporation to object to any disbursement during the applicable fiscal year.

The bill requires a corporation, within three months after the end of its fiscal year, to calculate the total value of its expenditures for disbursements made during the fiscal year. If an objecting shareholder returns the objection form to the corporation (opts out) within 30 days after the date stated on the corporation's notice, the corporation must, within four months after the end of its fiscal year, do all of the following: 1) pay the objecting shareholder an amount determined by multiplying the total value of corporate expenditures for disbursements by the objecting shareholder's percentage of ownership in the corporation; and 2) provide the objecting shareholder with the corporation's calculation of the total value of its expenditures for disbursements made during the fiscal year, along with information related to the calculation.

6. *Assembly Bill 58: responding to a request for an absentee ballot.*

Under this bill, a municipal clerk who receives a request for an absentee ballot by mail, electronic mail, or facsimile transmission must respond to the request no later than one business day after receiving the request.

7. *Senate Bill 43: John Doe proceedings and providing a penalty.*

This bill imposes a six-month time limit on a John Doe proceeding. This limit may be extended for additional six-month periods if a majority of judicial administrative district chief judges find good cause for each extension. This bill also provides that the same finding is required to

add specified crimes to the original complaint. The vote of each judge must be available to the public. Finally, under this bill, records reflecting the costs of John Doe investigations and proceedings are a matter of public record, temporary or permanent reserve judges are excluded from presiding over John Doe proceedings, and special prosecutors may be appointed to assist the district attorney in a John Doe proceeding only under certain conditions.

State of Wisconsin \ Government Accountability Board

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JUDGE GERALD C. NICHOL
Chair

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the March 4-5, 2015 Board Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy, Director and General Counsel
Wisconsin Government Accountability Board

Prepared by: Jonathan Becker, Brian Bell, Richard Bohringer, Adam Harvell,
Kyle Kundert and Molly Nagappala
Ethics and Accountability Division

SUBJECT: Ethics and Accountability Division Program Activity

Campaign Finance Update

Richard Bohringer, Adam Harvell, Kyle Kundert, Molly Nagappala and Brian Bell
Campaign Finance Auditors

Legislative Changes and Court Decisions

The District Court's decision implementing Barland II, on January 30, 2015, means that manuals for PACs and Independent Disbursement committees can be finalized, and staff will work to update and post them this spring.

January Continuing 2015 Reports

All non-exempt registrants were required to file the January Continuing 2015 report by February 2, 2015. As of February 16, 1,450 reports have been filed, and 93 of those were filed after February 2. Late filers have received notices by email. Staff will follow up by phone and mail, and begin to assess penalties if reports are not filed by March 2, 2015.

Spring Pre-Primary 2015 Campaign Finance Reports

All candidates on the ballot in April were required to file a fall pre-primary report on February 9, 2015. As of February 16, 2015, 160 reports have been filed, and only one of those was filed after February 9. Three candidates on the April ballot that were not on the February Primary ballot were sent a notice of their missing report.

Upcoming Spring Pre-Election Campaign Finance Reports

The next report due from all candidates on the ballot in April is the 2015 Spring Pre-Election Report, due March 30, 2015. Notices for this filing will be sent in March.

Campaign Finance Audits

A summary of campaign finance audits and penalties for 2014 is included as a separate document.

Lobbying Update

Molly Nagappala and Brian Bell
Ethics and Accountability Specialists

Statements of Lobbying Activities and Expenditures (SLAEs)

As of February 9, 2015, all SLAEs were successfully entered into the Eye on Lobbying website for the July to December 2014 reporting period. Of the 732 reports filed, 701 were filed on-time (by February 2, 2015, because January 31 fell on a weekend). The table below summarizes the timing of filings.

| Filing Date | Reports Filed | Number of Days Late |
|--------------------|----------------------|----------------------------|
| Filed On-Time | 701 | N/A |
| 02/03/2015 | 9 | 1 Day Late |
| 02/04/2015 | 8 | 2 Days Late |
| 02/05/2015 | 4 | 3 Days Late |
| 02/06/2015 | 1 | 4 Days Late |
| 02/09/2015 | 9 | 7 Days Late |

The next Statement of Lobbying Activities and Expenditures Report will be due by July 31, 2015 for the January to June 2015 reporting period, and will include considerable activity related to lobbying on the State Budget.

In-Person Lobbying Training

Staff conducted two in-person lobbying training events on January 27 and 28, in addition to the five previous training events held in December 2014. So far, 86 individuals have participated in these in-person training events. These seminars continue to be very well-received by the lobbying community and staff received excellent feedback.

Eye on Lobbying Website Project Update

Staff held a forum for Eye on Lobbying users on October 16, 2014 to allow for feedback regarding FOCUS, a subscription-based notification service for lobbying activities. Many helpful suggestions were given and it was a valuable opportunity for both staff and the users. Users indicated that the price point for FOCUS, \$100 per email address per legislative session, is quite reasonable and that they were all interested in subscribing. The new and improved version of

FOCUS launched on December 1, 2014. Staff plans to publicize FOCUS in the upcoming months as much as possible.

Staff continues to assist the public, lobbying principals and lobbyists regarding access to public information on the website as well as policy and reporting requirement questions from the lobbying community.

2015-2016 Legislative Session Registration and Licensing Now Available

On December 1, 2014, the Eye on Lobbying website enabled the start of principal registration, lobbyist licensing and lobbyist authorization for the upcoming 2015-2016 legislative session. While we anticipate additional registrations and licensing applications with the release of the Governor’s State Budget Proposal, we have observed a continued decline in the number of principal registrations, lobbyist licenses (both single and multiple), and lobbyist authorizations. Both economic austerity measures by past lobbying principals, and wider margins between the majority and minority in each house of the State Legislature, are likely contributing factors.

The following tables provide a summary of licensure, registration, and authorization applications and revenue as of February 16, 2015.

2015-2016 Legislative Session

| Fee Type | Fees Paid | Fee Amount | Total Paid |
|---|------------------|-------------------|---------------------|
| Limited Lobbying Principal Registration Fee | 6 | \$20.00 | \$120.00 |
| Limited Lobbying to Full Lobbying Principal Amendment | 1 | \$355.00 | \$355.00 |
| Principal Registration Fee | 581 | \$375.00 | \$217,875.00 |
| Lobbyist Authorization Fee | 1,210 | \$125.00 | \$151,250.00 |
| Lobbyist License (Single Principal) | 410 | \$250.00 | \$102,500.00 |
| Single to Multiple Principal Lobbying License Amendment | 2 | \$150.00 | \$300.00 |
| Lobbyist License (Multiple Principals) | 104 | \$400.00 | \$41,600.00 |
| FOCUS Subscription - Per Legislative Session | 65 | \$100.00 | \$6,500.00 |
| | | Total | \$520,500.00 |

2013-2014 Legislative Session

| Fee Type | Fees Paid | Fee Amount | Total Paid |
|---|------------------|-------------------|---------------------|
| Limited Lobbying Principal Registration Fee | 29 | \$20.00 | \$580.00 |
| Limited Lobbying to Full Lobbying Principal Amendment | 15 | \$355.00 | \$5,325.00 |
| Principal Registration Fee | 718 | \$375.00 | \$269,250.00 |
| Lobbyist Authorization Fee | 1,587 | \$125.00 | \$198,375.00 |
| Lobbyist License (Single Principal) | 571 | \$350.00 | \$199,850.00 |
| Single to Multiple Principal Lobbying License Amendment | 11 | \$300.00 | \$3,300.00 |
| Lobbyist License (Multiple Principals) | 105 | \$650.00 | \$68,250.00 |
| | | Total | \$744,930.00 |

Financial Disclosure Update

Adam Harvell
Campaign Finance Auditor and Ethics Specialist

Statements of Economic Interests

More than 2,300 statements were sent out by early January, with most forms due on April 30, 2015. Incoming elected officials and re-appointed cabinet secretaries had their 2015 SEI due on January 26, 2015, and all have filed. As of February 16, 2015, 2,346 SEIs have been sent out, and 1,301 have been returned.

State Agency Six Month Legislative Liaison Reports

Government Accountability Board staff work to follow up and process legislative liaison reports that were sent to 199 state agencies and boards required to file such a report with the G.A.B. under Chapter 13, *Wisconsin Statutes*. All state agencies are required to file a liaison report that identifies those agency officials who make lobbying communications with state officials, the percentage of their overall work time spent making such communications, and the official's annual salary. Reports covering activity from July 1 through December 31, 2014 were due on or before February 2, 2015, and have all been received.

State of Wisconsin Investment Board Quarterly Transaction Reports

Staff sent out 53 quarterly financial disclosure reports to State Investment Board members and employees at the beginning of January. The 2014 fourth quarter reports were due on or before February 2, 2015. All copies of the reports were received timely and delivered to the Legislative Audit Bureau for their review and analysis.

Gubernatorial Appointments

New appointments continue to be processed on an ongoing basis, to include securing statements of economic interests from all appointees and referring copies of their statements to the Senate for future confirmation hearings.

Ethics, Complaints and Investigations Update

Jonathan Becker, Division Administrator

Division staff continues to answer questions from legislators, legislative staff, and the public on various provisions of the State Ethics Code. Division staff intake numerous complaints from various parties and deal with them appropriately according to the Division's standard procedures. Division staff continues to devote time to assist on investigations and the resolution of complaints when called upon by the Division Administrator and/or the Director and General Counsel. Efforts to improve the complaints and investigations process are addressed in a separate report regarding the LAB audit recommendations.

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the March 4-5, 2015 Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy
Director and General Counsel
Wisconsin Government Accountability Board

Prepared by Elections Division Staff and Presented by:

Michael Haas
Elections Division Administrator

SUBJECT: Elections Division Update

Since its last Update (December 16, 2014), the Elections Division staff has focused on the following tasks:

1. General Activities of Election Administration Staff

A. Spring 2015 Primary and Election

Eight counties conducted state primaries on February 17, 2015. The counties of Calumet, Fond du Lac, Ozaukee, Sheboygan and Washington conducted the primary for State Senate District 20. The counties of Jackson, La Crosse, Lafayette and Sheboygan each conducted a circuit court judge primary.

The certification of candidates for the Spring Primary and Special Partisan Primary for State Senate District 20 was posted to the Recent Clerk Communication page of the G.A.B. website on January 13, 2015. Accompanying the primary certification was the certification of candidates for the Spring Election for offices not requiring a primary. A high-priority email notified the clerks of the posting. Sample Spring Primary and Spring Election ballots were also made available as well as sample Primary and Election ballots that included the office of State Senate District 20. All sample ballots followed the standards for ballot format outlined in the motion passed by the Board at its December 16, 2014 meeting. Following this memorandum as Attachments 1 through 4 are sample ballots which were produced and distributed.

Results of the Spring Primary will be certified by the Board Chair no later than March 3, 2015.

B. Proposed Constitutional Amendment

2015 Senate Joint Resolution 2 was enrolled on January 28, 2015. SJR2 is a proposed constitutional amendment relating to the election of chief justice. The question will appear on the spring election ballot in the following form:

QUESTION 1: "Election of chief justice. Shall section 4 (2) of article VII of the constitution be amended to direct that a chief justice of the supreme court shall be elected for a two-year term by a majority of the justices then serving on the court?"

The referendum question was sent to all county clerks on January 29. The Type A Notice of Referendum was posted to the G.A.B. website on February 6, upon receipt of the Enrolled Joint Resolution. The Type C Notice of Referendum will be posted upon receipt of the Explanatory Statement from the Department of Justice.

C. Ballot Access and Spring Primary Preparation Issues

1. On January 20, 2015, the Sheboygan County Clerk reported a misprint on the primary ballots. When preparing the spring primary ballots for the City of Sheboygan for the office of Circuit Court Judge, the County Clerk used an inaccurate list of polling places and associated wards. Use of the incorrect list caused the County Clerk to print incorrect ward numbers on several different ballot styles and to fail to produce any ballots for two wards. Sheboygan County's ballot printer advised that a reprint could not be accomplished until after the first of February. The County Clerk's proposed solution was to manually cross off wards numbers that did not apply to a particular ballot style and to manually add wards that were missing. The issue reportedly affected at least 1,300 ballots.

Concerned that the excessive manual corrections could lead to mistakes and confusion to voters and inspectors, Board staff directed the Sheboygan County Clerk to reprint the affected ballots so Election Day voters would have correct ballots. Since there was not time to reprint absentee ballots, the County Clerk was directed to provide enough manually corrected ballots to the City Clerk for absentee voting, and provide a substitute paper ballot for those absentee voters in the two wards where ballots had not been printed at all. Substitute ballots are simply paper ballots and cannot be read by the tabulating equipment. These ballots were to be remade onto official ballots by election inspectors on Election Day so that the optical scan voting equipment would accept them.

2. The De Soto School District proposed closing the Town of Bergen polling place under the provisions of Wis. Stat. §120.06(9).

120.06(9)(a) ...If no state, county, municipal or judicial election is held on the day of the school board election, the school board may select the polling places to be used...

120.06(9)(b) The school board may not select a polling place to be closed under par. (a) if:

120.06(9)(b)1. Ten percent or more of the electors voting in the last school board election voted at the polling place; or

120.06(9)(b)2. The polling place is located in a municipality which is located entirely within the school district.

The Westby School District also votes at this polling place and was also conducting a primary. Both school districts agreed to close the Town of Bergen polling place and to direct their respective voters to other polling location.

Wards 1 and 3 in the Town of Bergen each contain both Westby School District and De Soto School Districts voters. (Only De Soto School District voters reside in ward 2.) The Westby School District proposed sending their Town of Bergen voters from wards 1 and 3 to the Village of Chaseburg to vote. The De Soto School District proposed sending their Town of Bergen voters from wards 1, 2 and 3 to the Village of Stoddard to vote. This would result in the voters in wards 1 and 3 being split between polling places.

Wis. Stat. § 5.25(5)(a) requires all electors in a ward to vote at the same polling place. In order to achieve this, Board staff recommended that the Westby School District direct their Town of Bergen voters to vote in the Village of Stoddard. The Westby School District had fewer voters displaced by the closing of the Town of Bergen polling place, and the Village of Stoddard is closer to Bergen than is the Village of Chaseburg.

3. The Town of Deer Creek did not conduct its nominating caucus until February 3. The Town Clerk was out for 30 days on sick leave and forgot about noticing and conducting the caucus during January.

Also, the Town of Deer Creek polling place was closed by the Shiocton School District for the Spring Primary. The Deer Creek Clerk directed his absentee voters to return their absentee ballots to the Town of Main Clerk, where his voters had been directed to vote. The Outagamie County Clerk contacted the Town Clerk (and also notified the Town Chair) to remind him that because his polling place is closed for the Primary does not relieve him of his regular election duties.

4. The Town of Mazomanie conducted its caucus on January 19. The notice of caucus was posted as required by law and listed a starting time of 7 p.m. However, the notice posted to the Town's website listed the start time as 7:30 p.m. The Town Chair and several others, including a potential candidate, arrived after the caucus had begun and nominations had been completed. Staff directed the caucus to be reconvened. The caucus was reconvened on February 3.
5. The Town of Commonwealth has numbered supervisor seats. Seats 1 and 2 are up for election. On December 31, a candidate for Town Board Supervisor filed his Campaign Registration Statement, Declaration of Candidacy and Nomination Papers listing "Commissioner" as the office being sought, and did not indicate a seat number. At that time, the Town Clerk informed the candidate that he needed to indicate a seat number. (The candidate currently holds the office of Supervisor 1, but told the clerk he was running for Supervisor 2.) The Clerk proceeded to write "Supervisor 2" on the

candidate's ballot access documents. There were no challenges to his candidacy, and the Clerk certified him to the ballot.

The town board met on January 26 and stated they believed the Clerk should not have certified the candidate to the ballot due to the listing of "Commissioner" rather than Supervisor and failing to indicate the seat for which he was running. The Clerk contacted the G.A.B. for advice on what she should do at this point.

Staff advised the clerk that the candidate's name should remain on the ballot due to the following facts as presented by the Clerk:

- Even though the candidate's ballot access papers contained missing and misleading information, he relied on the Clerk who changed his paperwork to reflect the correct office title and certified him for the ballot.
- The electors, including the members of the board, failed to challenge the paperwork during the challenge period.

The Clerk was further advised that anyone who disagrees with the Clerk's decision, whether that decision is to keep the candidate's name on the ballot or remove the name, may file a complaint with the Board under Wis. Stat. § 5.06, and that staff's advice that the candidate's name remain on the ballot may be modified should a complaint raise facts not originally presented.

6. The Village of Unity Clerk received an anonymous phone call regarding the criminal record of a candidate for Village Trustee. The caller told her to check CCAP, which she did, and found a lengthy record. The clerk has involved her municipal attorney to determine whether the candidate's record involves a felony conviction. Additionally, the Clark County Sheriff's Department was asked to provide assistance and was able to determine the candidate was indeed a convicted felon and had not been pardoned by the Governor, making him ineligible to hold public office. G.A.B. staff agreed with the Village of Unity that the felony conviction makes the candidate ineligible to have his name on the ballot at the Spring Election. Both the Clark County Clerk and Marathon County Clerk were also made aware of this determination. The candidate's name will not appear on the ballot at the Spring Election.

2. Voter Registration Statistics

The following statistics summarize statewide voter registration activity year-to-date as of February 13, 2015:

| | |
|--|-----------|
| Active Voter Registrations | 3,480,113 |
| Inactive Voter Registrations | 1,175,271 |
| Cancelled Voter Registrations | 435,775 |
| HAVA Checks Processed in 2015 | 7,094 |
| Merged Voter Registrations Processed in 2015 | 4,937 |

3. Voter Data Requests

The following statistics summarize voter data requests as of February 13, 2015:

| Fiscal Year | Total Number of Requests | Requested Files Purchased | Percentage of Requests Purchased | Total Revenue |
|--------------------|---------------------------------|----------------------------------|---|----------------------|
| FY2015 to date | 433 | 298 | 68.82% | \$171,841.25 |
| FY2014 | 371 | 249 | 67.12% | \$125,921.25 |
| FY2013 | 356 | 259 | 72.75% | \$254,840.00 |
| FY2012 | 428 | 354 | 78.04% | \$127,835.00 |

As more fully described in the May 21, 2014 Division Update, G.A.B. staff launched **BADGER Voters** (<http://BADGERVoters.gab.wi.gov>), an online application for processing common requests for voter data, on April 25, 2014. Staff has received positive feedback from individuals and organizations requesting voter data, as well as from local clerks who may direct requestors of localized data to the site. Since its launch, the site has managed about 585 requests and 365 purchased data files, generating nearly \$204,000 of revenue and reducing agency costs by over \$104,000. Staff continues to study potential enhancements to the website that could result in improved customer service and greater efficiencies. As of February 3, 2015, the BADGER Voters site has resulted in a net benefit of approximately \$260,000 for the G.A.B. The initial development costs were less than \$50,000.

4. WEDCS and SVRS Data Quality

A. General Election Wrap-Up

Board staff continues to monitor municipal and county clerk compliance with several reporting requirements following the 2014 General Election. Pursuant to Statutes, the GAB-190F Election Administration and Voting Statistics Report was due to be entered into the Wisconsin Elections Data Collection System (WEDCS) by December 4. As of February 11, 2015, the Town of Plymouth is the only municipality that has not entered the report into WEDCS, despite numerous contacts by G.A.B. staff and the Juneau county clerk.

The GAB-191 Election-Specific Cost Report must be completed by each municipality and county, and is due within 60 days of the election (January 5, 2015). As of February 11, 2015, two counties and 14 municipalities had not completed this report.

The GAB-192 Annual Elections Cost Report is also due from each municipality and county by January 31, 2015 for the preceding year. As of February 11, 2015, five counties and 162 municipalities had not completed this report.

These statistics and summaries will be available on the G.A.B. website:
<http://gab.wi.gov/publications/statistics/gab-190/November-2014>.

Municipal clerks were also required to report several statistics related to Election Day Registration address verification postcards by February 2, 2015. As of February 11, 643 municipalities have not yet completed this statutorily required report.

Wisconsin Statutes also give clerks 45 days following a general election to enter Election Day Registrations and record voter participation in the Statewide Voter Registration System (SVRS). For the 2014 General Election, that deadline is December 19. Clerks may request, and the G.A.B. Director and General Counsel may grant, an extension to enter EDRs and participation out to 60 days from the election (January 5, 2015). Board staff has responded to hundreds of telephone calls and emails to assist clerks in the reconciliation process to close out the SVRS data entry for the 2014 Fall General Election. The list of jurisdictions requesting an extension is available on the G.A.B. website: <http://gab.wi.gov/node/2429>.

Once all reports are complete, Board staff reconciles data between votes recorded in SVRS, total voters reported in WEDCS, and the total votes for the Office of Governor in the Canvass Reporting System. Staff then follows up with clerks to resolve any discrepancy of three or more votes or a difference of one percent or more within any reporting unit.

After all data is reconciled, including checking WEDCS data for accuracy (e.g., not having more absentee ballots counted than issued), staff will use the SVRS and WEDCS data to complete several major federal reporting requirements: The US Election Assistance Commission's Election Administration and Voting Survey (EAVS), and the Federal Voting Assistance Program's grant reporting requirements related to the development and use of My Vote Wisconsin. Cumulatively, staff completes reporting on more than 600 data points for each reporting unit on behalf of all of Wisconsin's municipal and county clerks. This equates to more than 2 million total data points.

B. 2015 Spring Election SVRS Readiness

Board staff created, posted and sent Checklist III for the 2015 Spring Primary and Checklist II for the 2015 Spring Election to all county and municipal clerks. Staff creates and distributes three SVRS Checklists for each election to guide local election officials through their responsibilities to create, process and maintain data related to voters, candidates, ballots, and polling places for each election. The Checklists are tools that county and municipal clerks use to guide and track their pre- and post-election duties in SVRS.

Checklist II includes proper contest and candidate entry, absentee ballots, printing the Ineligible Voter List, and printing poll books. Checklist III covers election night tasks and post-election activities including entering provisional ballot information to be displayed on the MyVote Wisconsin website, recording voter participation, reporting election statistics (GAB-190), and entry and completion of Election Day Registrations.

Checklist III for the Spring Primary was distributed February 11, 2015 and Checklist II for the 2015 Spring Election was distributed February 23, 2015. Board staff has also been busy entering information related to all School District contests and referenda, as well as Multi-Jurisdictional Judge contests and technical college referenda for the spring elections

into SVRS. To date, nearly 600 contests of these types have been entered for the 2015 Spring Election.

G.A.B. staff began running 2015 Spring Primary data maintenance queries on January 15 and continued to run them, on average, every two days. Data quality maintenance checks allow G.A.B. staff to monitor clerk progress and identify errors. Clerk outreach by G.A.B. staff is then conducted to correct any problems. G.A.B. contacted 292 municipalities with HAVA, felon, death and voter matches that required attention prior to Election Day, and 167 municipalities were contacted regarding mapping issues related to voter address data quality.

The process of developing the SVRS Checklists, monitoring clerks' progress, completing data quality checks, and entering contest and candidate information involves the entire SVRS team, along with assistance from the Elections Administration team.

5. 2014 Voting Equipment Audit

The voting equipment team completed the post-election voting equipment audit. The complete audit report is included as a separate agenda item.

6. Voting Equipment Testing and Demonstration

There are no outstanding applications for approval of voting systems pending at this time.

7. The AccessElections! Accessibility Compliance Program

A. Polling Place Audits for the Spring Primary Election

For the 2015 Spring Primary, 107 polling places were audited. Eight temporary workers were hired and trained to conduct onsite accessibility compliance audits in 58 municipalities in Dane, Grant, Jackson, La Crosse, Lafayette, Sheboygan and Waukesha counties. Reports will be created for each conducted audit and provided to each municipality once the data has been verified.

Planning for the Spring Primary was complicated by the lack of a statewide office on the ballot. Counties with a large number of unvisited polling places and a county-wide ballot contest were selected in an attempt to maximize auditor efficiency on Election Day. Due to concerns over the potential for inclement weather, only locations in the southern half of the state were audited. This strategy decreased the potential impact of weather-related travel issues and kept all auditors within a two hour drive time from Madison.

All temporary staff auditors were recruited from the state-approved staffing agency and went through an interview process. They were also required to attend a two-day training event. Training consists of a review of the polling place accessibility survey and Americans with Disabilities Act standards, training on the tablet computers used to gather the survey data and a mock polling place exercise at a City of Madison polling place. The auditors were also provided with a tutorial on accessible voting equipment and given training on all of the tools they need to conduct the site visits.

The accessibility coordinator leads the audit program and is assisted by five to seven other staff members. Before each election, an audit plan is submitted to management for approval. Various staff provide help with recruiting temporary staff, scheduling and conducting interviews, identifying audit locations, creating maps and routes for auditors, training temporary staff on the survey instrument and touchscreen tablet, and coordinating with the staffing agencies concerning billing, scheduling and human resource issues.

In addition to staff assistance with training and planning, two new staff members went out in the field to conduct polling place accessibility audits in the City of Madison for the Spring Primary. They were able to conduct an additional 11 audits and gain experience regarding accessibility issues and polling place setup and management challenges.

B. Development of Polling Place Accessibility Reporting System

Staff continued to work with the IT team to develop an online portal that will provide local election officials with electronic access to their audit reports. Once completed, the system will allow staff to customize report findings, include photos taken during the site visit and provide reference materials to assist local election officials with their compliance efforts. Local election officials will be able to respond electronically to audit findings and attach supporting documents with their response. They will also be able to use the system to request polling place accessibility-related supplies.

The goal of this project is to reduce the costs associated with the audit program reporting process. The current system requires the creation of paper reports that are mailed to each visited municipality. Local election officials use the report to provide a plan to address all audit findings, which they mail back to the agency for processing. The plan is then reviewed and filed away after an approval letter is generated. The polling place accessibility reporting system will move this entire process to an electronic platform that will allow for easier transmission, review, storage and analysis of audit information and data.

The project is currently in the testing phase and should be launched by early March 2015. The system is being tested by both county and municipal clerk users for usability and functionality. Usability testing is conducted by having a staff member observe a clerk user while they navigate through the reporting system, while functional testing is conducted to ensure all of the system components are operating correctly. In addition to clerk testing, staff will conduct full functional testing of the administrative features before the system is launched.

C. Ongoing Accessibility Compliance Efforts

Staff continues to coordinate with municipal clerks to ensure that accessibility problems uncovered during previous audits are resolved as quickly and cost-effectively as possible. In addition, staff arranged for the shipment of 133 grant-funded accessibility supplies to 16 municipalities in response to documented needs. Several accessibility-related items, such as page magnifiers and signature guides, have been restocked due to continued demand, while the polling place signage inventory will continue to be liquidated.

D. Accessibility Advisory Committee Meeting

Staff plans to meet with the Accessibility Advisory Committee in early 2015 prior to the Spring Election. Expanded membership and participation on the committee will be discussed. Staff will also facilitate a discussion on the effectiveness of public outreach efforts for the 2014 November General Election and seek input on how accessibility-related information will be displayed on the agency's revamped MyVote website.

8. **Education/Training/Outreach/Technical Assistance**

Following this memorandum as Attachment 5 is a summary of information on core and special election administration training recently conducted by G.A.B. staff.

9. **GIS (Geographic Information Systems) Update**

Board staff continued to process changes to ward, school, supervisory, sanitary, or municipal boundaries that take place throughout the State of Wisconsin, as well as acquiring any of these data types directly from local municipal or county land information departments. The Department of Administration (DOA) provides the Board's GIS staff with a quarterly listing of annexations that have taken place throughout Wisconsin. In 2014, there were approximately 148 annexations reported to DOA. Boundary data acquisition, verification, and updates into SVRS require one GIS staff person approximately 20 hours per week.

Board staff is also working with the State Agency Geospatial Information Committee (SAGIC) to assist in state agency acquisition of local land information data as well as the Wisconsin Land Information Association (WLIA), which represents local land information constituents. Involvement with these land information groups helps to facilitate and develop partnerships as well as more efficient data acquisition of spatial information. This requires one GIS staff person approximately six hours a month. Accurate GIS data is essential to ensuring accurate ballot assignment within SVRS.

10. **IT Projects**

Several IT projects are in progress for the Elections Division:

A. SVRS Updates

One update was made to SVRS on January 27, 2015. At the request of municipal clerks, the WI Voter Verification Postcard Notice and the Notice of Suspension of Registration mailings in SVRS were updated to include the address for the current G.A.B. website.

B. BADGER Voters

IT staff recently implemented several improvements to the BADGER Voters data request system to improve security and enhance the user experience by making a few technical fixes. Initial planning has also begun to develop new standard report options that would allow users to request lists of voters who registered within a specified date range, or voters

who returned an absentee ballot within a given date range. Staff is also looking into allowing users to choose whether they want a list of voters who participated in any of the selected elections or all elections selected (e.g., voters from any spring election versus voters who participated in all of the last three spring elections).

C. SVRS Modernization

Design and development continue on the SVRS Modernization project. Each of the staff teams continue to work on their functional areas. Districts, Voter and Absentee are largely complete. Elections, Clerk Training and Security are currently being worked on concurrently. The SVRS Modernization project has involved the prolonged and focused effort of the entire SVRS team as well as assistance from the Elections Administration team.

D. MyVote Wisconsin

In July 2014, staff conducted a usability study of the current version of MyVote Wisconsin (myvote.wi.gov). During the study, random participants who were not familiar with the site were asked to perform certain tasks while staff collected data regarding where the users ran in to problems and where the website performed well. As a result of the study, as well as feedback from actual voters since the website was launched in 2012, staff has concluded that the website is functional but that its process flow needs improvement so that users could find the information and accomplish their desired tasks on MyVote.

In preparation for the 2016 election cycle, G.A.B. staff is working on the redesign of MyVote Wisconsin. In order to conserve time and money during the redesign process, staff has been implementing a paper prototyping process. This means that a prototype of the proposed website redesign is created on paper. The paper prototype is used to facilitate discussion among the group while the process of refining the design continues. This approach permits staff test new designs to ensure that they are usable for voters before devoting more significant resources into building a new system in an IT environment.

During the week of February 16, and after lengthy efforts to create a paper prototype, staff tested its first version of the redesign using seven participants from outside the agency. The seven participants were asked to interact with the prototype as if they were using a website on a touchscreen tablet. Staff then collected data to measure how easily the participants were able to work through the prototype, and will use that information to make further refinements. It is anticipated that the paper prototyping phase of the project will be completed in April and changes to the MyVote Wisconsin website will progress to IT development in May.

E. Voter Felon Audit

On February 13, 2015 Board staff ran the comparison of the Department of Corrections list of felons with individuals recorded in SVRS as voting in the November 4, 2014 General Election. A total of 229 potential matches were identified. The number of potential matches for the November 4, 2014 General Election was higher than normal because of issues with updates to termination dates on the DOC list resulting from its transition to a

new offender management system. After the DOC preliminary review of identified records, 60 potential matches remained and are under review by G.A.B. staff, which will be forwarding the names of the potential matches to municipal clerks for review. Clerks will review the matches to confirm that votes were accurately recorded for those voters. Following clerk review, referrals will be made to the appropriate District Attorneys for those confirmed cases.

With the new automated tracking tool now in place, G.A.B. staff has dramatically reduced the time that it takes to complete the Voter Felon Audits. As of February 20, 2015, G.A.B. staff has completed the Voter Felon Audits for 18 elections using the new tracking tool. From the 18 elections, a total of 112 names have been referred to District Attorneys. A table containing the results of the comparison for the 18 elections is included with the status report regarding the Legislative Audit Bureau's recommendations.

F. Canvass Reporting System

G.A.B. staff provided support and assistance to municipal and county clerks using the Canvass Reporting System (CRS) to report unofficial election night results for the February 17, 2015 Spring Primary. Sheboygan, Milwaukee, and Waukesha had municipal clerks enter unofficial election night results into CRS and used the reports generated from CRS to post unofficial election night results. Clerks reported no issues with CRS on election night, and reporting unofficial results went smoothly.

Staff also supported counties who uploaded result files directly from their voting equipment compilation software. Before Election Day, G.A.B. obtained and uploaded test files from each county. Board staff will continue to provide support to counties who will be using CRS to report unofficial election night results for the Spring 2015 Election.

11. G.A.B. Customer Service Center

The Help Desk staff is supporting over 2,000 active SVRS users, the public, and election officials. The Help Desk is continuing to maintain the two training environments utilized in the field to facilitate remote SVRS training. Staff is monitoring state enterprise network and data center changes and status, assisting with processing data requests, and processing voter verification postcards. Help Desk staff also have been serving on various project teams such as the Records Retention Taskforce and SVRS Modernization and MyVote Wisconsin teams.

Staff assisted with testing SVRS and system improvements, coordinating and assisting with the Exchange 2013 migration instituted by the Department of Administration (DOA) and administering Exchange email. Staff is assisting DOA with firewall, VLAN and security updates in the G.A.B. environment at the datacenter. Staff will be facilitating the migration of G.A.B. staff computer accounts from the SASI domain to the Accounts domain per DOA. Help Desk staff is administering the SANS Security Awareness training program instituted by DOA for data security awareness for 2015, and also continue to maintain and update G.A.B. clerk contact and Listserve lists.

Overall, the majority of inquiries the G.A.B. Help Desk received from clerks during this period related to assistance with preparing for the February Spring Primary and closing the November

General Election; voter proof of residence; logging into the CRM system for ineligible lists and canvass; printing ineligible voter lists; tracking absentee and provisional ballots; printing poll books; absentee processing; producing SVRS reports; and related election processes. Many SVRS Relier Municipal Clerks were becoming Self Providers and adding computers for SVRS access resulting in an unusual number of new user accounts to be set-up. Help Desk staff assisted clerks with configuring and installing SVRS and WEDCS (GAB-190) on new computers.

Public and elector inquiries were primarily from candidates and the public with questions about the nomination process and ballot access for local offices, finding a sample ballot, and other election-related inquiries.

Calls for this period also consisted of campaign finance reporting issues, lobbyist reporting and the Statements of Economic Interests filing, CFIS and Lobbying systems also generated an amount of call traffic prior to the filing deadlines.

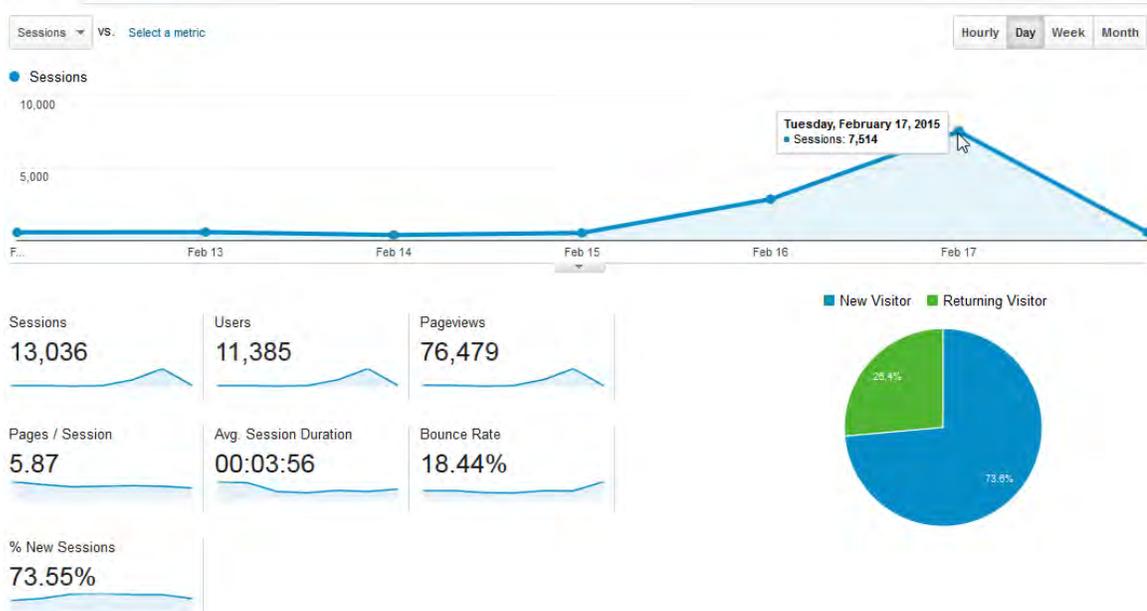
G.A.B. SVRS Help Desk Call Volume
(608-261-2028)

| | |
|---|--------------|
| December 2014 | 511 |
| January 2015 | 964 |
| February 20, 2015 | 654 |
| Total Calls for Reporting Period | 2,129 |

G.A.B. Front Desk Call Volume
(608-266-8005)

| | |
|---|--------------|
| December 2014 | 633 |
| January 2015 | 962 |
| February 20, 2015 | 462 |
| Total Calls for Reporting Period | 2,057 |

The graph below illustrates visitor traffic to the MyVote Wisconsin website for the week of the Spring Primary, February 12 to February 17. The high point was 7,514 sessions on Tuesday, February 17. Of these, 31% used a mobile device to access the site.



Hourly breakdown of Primary Day with a peak of 781 sessions at 9:00 am.



These ongoing customer service tasks are completed by the three Help Desk staff members.

12. Voter Outreach Services

Since the G.A.B.'s launch of its Facebook and Twitter accounts in April of 2012 the number of people the agency is able to reach through social media continues to grow.

The G.A.B. Facebook account currently has over 1,100 likes (people following the page). On

average, each post reaches a viral audience of 500 additional people, with the more popular posts generating an additional reach of up to 10,000 people. G.A.B. staff typically publishes two or more posts daily on Facebook during the six to eight weeks before an election. The posts around election time can generate an even broader reach with some posts reaching more than 20,000 Facebook users. During the periods of time between elections, the frequency of posts decreases to around three per week.

The G.A.B. Twitter account currently has over 1,500 followers. Additional statistics for reach and viral impact are not available for Twitter. However, a number of news media sources “re-tweet” G.A.B. posts regularly. Because of these “re-tweets” each G.A.B. post reaches additional Twitter users, beyond the 1,500 followers. G.A.B. staff typically publishes two or more posts daily on Twitter during the six to eight weeks before an election. During periods of time between elections, the frequency of posts decreases to around three per week.

13. Staffing Changes

Board staff has conducted comprehensive orientation regarding election laws and procedures as well as G.A.B. responsibilities and tasks for the three new Elections Administration Specialists who began in November. The Elections Division is completing its recruitment to fill three vacant SVRS Elections Specialist positions. Several staff members were involved in reviewing the numerous application exams for those positions and serving on the interview panel, in addition to their regular duties.

**Official Primary Ballot
for Nonpartisan Office and Referendum
February 17, 2015**

Attachment 1

Notice to voters: This ballot may be invalid unless initialed by 2 election inspectors. If cast as an absentee ballot, the ballot must bear the initials of the municipal clerk or deputy clerk.

| Instructions to Voters | County | Municipal (Cont.) | |
|---|---|---|--|
| <p>If you make a mistake on your ballot or have a question, see an election inspector. (Absentee voters: Contact your municipal clerk.)</p> <p>To vote for a name on the ballot, complete the arrow next to the name like this ← .</p> <p>To vote for a name that is not on the ballot, write the name on the line marked "write-in," and complete the arrow next to the name like this ← .</p> | <p>County Executive Vote for 1</p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">write-in: ← </p> | <p>Village Trustee Vote for not more than 2</p> <p align="right">Candidate ← </p> | |
| | <p>County Supervisor, District _ Vote for 1</p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">write-in: ← </p> | <p align="right">Candidate ← </p> <p align="right">write-in: ← </p> <p align="right">write-in: ← </p> | |
| | <p>Judicial</p> | <p align="right">Candidate ← </p> <p align="right">write-in: ← </p> | <p>Village Clerk Vote for 1</p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> |
| | <p>Justice of the Supreme Court Vote for 1</p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">write-in: ← </p> | <p align="center">Multi-Jurisdictional Judge</p> <p>Municipal Judge for the Town of _ and the Village of _ Vote for 1</p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">write-in: ← </p> | <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">write-in: ← </p> |
| | <p>Court of Appeals Judge, District _ Vote for 1</p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">write-in: ← </p> | <p align="center">Municipal</p> <p>Village President Vote for 1</p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">write-in: ← </p> | <p>Village Treasurer Vote for 1</p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">write-in: ← </p> |
| <p>Circuit Court Judge, Branch _ Vote for 1</p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">write-in: ← </p> | <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">write-in: ← </p> | <p>Village Assessor Vote for 1</p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">Candidate ← </p> <p align="right">write-in: ← </p> | |
| <p align="center">Page 1 of 2-sided ballot</p> | <p>Ballot continues on other side. → </p> | | |

| | | |
|---|--|--|
| School District | Official Primary Ballot for Nonpartisan Office and Referendum | |
| School Board Member Vote for not more than 2 | February 17, 2015 | |
| Candidate ← █ | for | |
| Candidate ← █ | | |
| write-in: ← █ | _____ | |
| write-in: ← █ | Municipality and ward #(s) | |
| Referendum | Ballot issued by | For Official Use Only |
| To vote in favor of a question, complete the arrow next to "YES," like this ← █ . | _____ | <p><i>Inspectors: Identify ballots required to be remade.</i></p> <p>Reason for remaking ballot:</p> <p style="margin-left: 40px;"><input type="checkbox"/> Overvoted</p> <p style="margin-left: 40px;"><input type="checkbox"/> Damaged</p> <p style="margin-left: 40px;"><input type="checkbox"/> Other</p> <p>Original Ballot No. or Duplicate Ballot No.</p> <p>_____</p> <p>_____</p> <p>Initials of inspectors who remade ballot</p> |
| To vote against a question, complete the arrow next to "NO," like this ← █ . | Initials of election inspectors | |
| Town | Absentee ballot issued by | |
| QUESTION 1: Shall the town....? | _____ | |
| YES ← █ | Initials of municipal clerk or deputy clerk (If issued by SVDs, both SVDs must | |
| NO ← █ | Certification of Voter Assistance | |
| School District | I certify that I marked this ballot at the request and direction of a voter who is authorized under the law to receive assistance. | |
| QUESTION 1: Shall the school district...? | _____ | |
| YES ← █ | Signature of assistor | |
| NO ← █ | | |
| Page 2 of 2-sided ballot | | Ballot begins on other side. → |

NOTE: ADD ANY OFFICES THAT REQUIRE A PRIMARY TO THIS BALLOT. ELIMINATE ANY OFFICES THAT DO NOT REQUIRE A PRIMARY FROM THIS BALLOT.

Attachment 2

Official Special Primary Ballot for Partisan Office
Official Primary Ballot for Nonpartisan Office and Referendum
February 17, 2015

| A | B | C | |
|---|---|--|---|
| <p>Notice to voters: This ballot may be invalid unless initialed by 2 election inspectors. If cast as an absentee ballot, the ballot must bear the initials of the municipal clerk or deputy clerk.</p> | | | |
| Instructions to Voters | Special Partisan Primary (Cont.) | Nonpartisan Primary | |
| <p>If you make a mistake on your ballot or have a question, see an election inspector. (Absentee voters: Contact your municipal clerk.)</p> <p>To vote for a name on the ballot, fill in the oval next to the name like this <input type="radio"/>.</p> <p>To vote for name that is not on the ballot, write the name on the line marked "write-in," and fill in the oval next to the name like this <input type="radio"/>.</p> | Republican Party Primary | Judicial | |
| | If you vote in this primary, you may not vote in any other primary. | | Justice of the Supreme Court Vote for 1 |
| | State Senator, District 20 Vote for 1 | <input type="radio"/> Candidate | <input type="radio"/> Candidate |
| | <input type="radio"/> Candidate | <input type="radio"/> Candidate | <input type="radio"/> Candidate |
| | <input type="radio"/> Candidate | <input type="radio"/> Candidate | <input type="radio"/> write-in: |
| Special Partisan Primary | <input type="radio"/> write-in: | Court of Appeals Judge, District _ Vote for 1 | |
| <p>1.) Choose a party primary. <i>You may vote in only ONE party at a partisan primary.</i></p> <p>If you choose a party, votes cast in that party will be counted. Votes cast in any other party will not be counted. If you do not choose a party, and you vote in more than one party, no votes will be counted.</p> <p>2.) Vote for ONE candidate in only ONE party.</p> | Democratic Party Primary | <input type="radio"/> Candidate | |
| | If you vote in this primary, you may not vote in any other primary. | | <input type="radio"/> Candidate |
| | State Senator, District 20 Vote for 1 | <input type="radio"/> Candidate | <input type="radio"/> Candidate |
| | <input type="radio"/> Candidate | <input type="radio"/> Candidate | <input type="radio"/> write-in: |
| | <input type="radio"/> Candidate | <input type="radio"/> write-in: | Circuit Court Judge, Branch _ Vote for 1 |
| Choose a Party Primary | Constitution Party Primary | <input type="radio"/> Candidate | |
| <p>Fill in the oval next to your party choice like this <input type="radio"/>.</p> <p><input type="radio"/> Republican</p> <p><input type="radio"/> Democratic</p> <p><input type="radio"/> Constitution</p> | If you vote in this primary, you may not vote in any other primary. | | |
| | State Senator, District 20 Vote for 1 | <input type="radio"/> Candidate | |
| | <input type="radio"/> Candidate | <input type="radio"/> Candidate | |
| Special Partisan Primary continues in next column. | <input type="radio"/> write-in: | <input type="radio"/> Candidate | |
| | End Special Partisan Primary | <input type="radio"/> write-in: | |
| | Nonpartisan Primary begins in next column. | County | |
| | | County Executive Vote for 1 | |
| | | <input type="radio"/> Candidate | |
| | | <input type="radio"/> Candidate | |
| | | <input type="radio"/> Candidate | |
| | | <input type="radio"/> write-in: | |
| | | Turn ballot over to continue voting. | |



| County (Cont.) | | Municipal (Cont.) | | Official Primary Ballot for Nonpartisan Office and Referendum Official Special Primary Ballot for Partisan Office February 17, 2015 for _____ | |
|---|--|--|--|---|--|
| County Supervisor, District _ Vote for 1 | | Municipal Judge Vote for 1 | | Municipality and ward #(s) | |
| <input type="radio"/> Candidate | | <input type="radio"/> Candidate | | Ballot issued by _____ _____ Initials of election inspectors | |
| <input type="radio"/> Candidate | | <input type="radio"/> Candidate | | | |
| <input type="radio"/> Candidate | | <input type="radio"/> Candidate | | | |
| <input type="radio"/> write-in: | | <input type="radio"/> write-in: | | | |
| Municipal | | School District | | Absentee ballot issued by _____ Initials of municipal clerk or deputy clerk (If issued by SVDs, both SVDs must initial.) | |
| Mayor Vote for 1 | | School Board Member Vote for not more than 2 | | | |
| <input type="radio"/> Candidate | | <input type="radio"/> Candidate | | Certification of Voter Assistance I certify that I marked this ballot at the request and direction of a voter who is authorized under the law to receive assistance. Signature of assistor _____ | |
| <input type="radio"/> Candidate | | <input type="radio"/> Candidate | | | |
| <input type="radio"/> Candidate | | <input type="radio"/> Candidate | | | |
| <input type="radio"/> write-in: | | <input type="radio"/> Candidate | | | |
| City Clerk Vote for 1 | | <input type="radio"/> Candidate | | For Official Use Only | |
| <input type="radio"/> Candidate | | <input type="radio"/> write-in: | | | |
| <input type="radio"/> Candidate | | <input type="radio"/> write-in: | | | |
| <input type="radio"/> Candidate | | Referendum | | | |
| <input type="radio"/> write-in: | | To vote in favor of a question, fill in the oval next to "Yes," like this <input checked="" type="radio"/> . To vote against a question, fill in the oval next to "NO," like this <input type="radio"/> . | | | |
| City Treasurer Vote for 1 | | Municipal | | Inspectors: Identify ballots required to be remade. Reason for remaking ballot: <input type="checkbox"/> Overvoted <input type="checkbox"/> Damaged <input type="checkbox"/> Other Original Ballot No. or Duplicate Ballot No. _____ _____ Initials of inspectors who remade ballot. _____ | |
| <input type="radio"/> Candidate | | Question 1: Shall the city...? | | | |
| <input type="radio"/> Candidate | | <input type="radio"/> Yes | | | |
| <input type="radio"/> write-in: | | <input type="radio"/> No | | | |
| Aldersperson, District _ Vote for 1 | | School District | | | |
| <input type="radio"/> Candidate | | Question 1: Shall the school district..? | | | |
| <input type="radio"/> Candidate | | <input type="radio"/> Yes | | | |
| <input type="radio"/> Candidate | | <input type="radio"/> No | | | |
| <input type="radio"/> write-in: | | | | | |
| Continue voting in next column. | | | | | |
| Page 2 of 2-sided ballot | | | | Ballot begins on other side. | |

**Official Ballot
for Nonpartisan Office and Referendum
April 7, 2015**

Attachment 3

Notice to voters: This ballot may be invalid unless initialed by 2 election inspectors. If cast as an absentee ballot, the ballot must bear the initials of the municipal clerk or deputy clerk.

| Instructions to Voters | County | Municipal (Cont.) |
|---|---|---|
| <p>If you make a mistake on your ballot or have a question, see an election inspector. (Absentee voters: Contact your municipal clerk.)</p> <p>To vote for a name on the ballot, fill in the oval next to the name like this <input type="radio"/>.</p> <p>To vote for a name that is not on the ballot, write the name on the line marked "write-in," and fill in the oval next to the name like this <input type="radio"/>.</p> | County Executive Vote for 1 | Aldersperson, District 1 Vote for 1 |
| | <input type="radio"/> Candidate | <input type="radio"/> Candidate |
| | <input type="radio"/> Candidate | <input type="radio"/> Candidate |
| | <input type="radio"/> write-in: | <input type="radio"/> write-in: |
| | County Supervisor, District _ Vote for 1 | Aldersperson at Large Vote for 1 |
| | <input type="radio"/> Candidate | <input type="radio"/> Candidate |
| | <input type="radio"/> Candidate | <input type="radio"/> Candidate |
| | <input type="radio"/> write-in: | <input type="radio"/> write-in: |
| Judicial | | |
| Justice of the Supreme Court Vote for 1 | Municipal | Municipal Judge Vote for 1 |
| <input type="radio"/> Candidate | Mayor Vote for 1 | <input type="radio"/> Candidate |
| <input type="radio"/> Candidate | <input type="radio"/> Candidate | <input type="radio"/> Candidate |
| <input type="radio"/> write-in: | <input type="radio"/> Candidate | <input type="radio"/> write-in: |
| Court of Appeals Judge, District _ Vote for 1 | <input type="radio"/> write-in: | School District |
| <input type="radio"/> Candidate | City Clerk Vote for 1 | School Board Member Vote for not more than 2 |
| <input type="radio"/> Candidate | <input type="radio"/> Candidate | <input type="radio"/> Candidate |
| <input type="radio"/> write-in: | <input type="radio"/> Candidate | <input type="radio"/> Candidate |
| Circuit Court Judge, Branch _ Vote for 1 | <input type="radio"/> write-in: | <input type="radio"/> Candidate |
| <input type="radio"/> Candidate | City Treasurer Vote for 1 | <input type="radio"/> Candidate |
| <input type="radio"/> Candidate | <input type="radio"/> Candidate | <input type="radio"/> write-in: |
| <input type="radio"/> write-in: | <input type="radio"/> Candidate | <input type="radio"/> write-in: |
| | <input type="radio"/> write-in: | Turn ballot over to continue voting. |
| Page 1 of 2-sided ballot | Ballot continues on other side. | |

| | | |
|---|---|--|
| Referendum | Official Ballot for Nonpartisan Office and Referendum | |
| To vote in favor of a question, fill in the oval next to "YES," like this <input checked="" type="radio"/> . | April 7, 2015 | |
| To vote against a question, fill in the oval next to "NO," like this <input type="radio"/> . | for | |
| State | _____ | |
| QUESTION 1: "Election of chief justice. Shall section 4 (2) of article VII of the constitution be amended to direct that a chief justice of the supreme court shall be elected for a two-year term by a majority of the justices then serving on the court?" | Municipality and ward #(s) _____ | |
| <input type="radio"/> YES | Ballot issued by _____ | |
| <input type="radio"/> NO | _____ | |
| Municipal | Initials of election inspectors _____ | |
| QUESTION 1: Shall the city..? | Absentee ballot issued by _____ | |
| <input type="radio"/> YES | Initials of municipal clerk or deputy clerk (If issued by SVDs, both SVDs must initial.) _____ | |
| <input type="radio"/> NO | Certification of Voter Assistance | |
| School Board | I certify that I marked this ballot at the request and direction of a voter who is authorized under the law to receive assistance. _____ | |
| QUESTION 1: Shall the School District..? | Signature of assistor _____ | |
| <input type="radio"/> YES | | |
| <input type="radio"/> NO | | |
| | | |
| For Official Use Only | | |
| <i>Inspectors: Identify ballots required to be remade.</i> | | |
| Reason for remaking ballot: | | |
| <input type="checkbox"/> Overvoted <input type="checkbox"/> Damaged <input type="checkbox"/> Other | | |
| Original Ballot No. or Duplicate Ballot No. _____ _____ | | |
| Initials of inspectors who remade ballot _____ | | |
| Page 2 of 2-sided ballot | | |
| Ballot begins on other side. | | |

**Official Ballot
for Nonpartisan Office and Referendum
April 7, 2015**

Attachment 4

Notice to voters: This ballot may be invalid unless initialed by 2 election inspectors. If cast as an absentee ballot, the ballot must bear the initials of the municipal clerk or deputy clerk.

| Instructions to Voters | County | Municipal (Cont.) | |
|---|--|---|--|
| <p>If you make a mistake on your ballot or have a question, see an election inspector. (Absentee voters: Contact your municipal clerk.)</p> <p>To vote for a name on the ballot, fill in the oval next to the name like this <input type="radio"/>.</p> <p>To vote for a name that is not on the ballot, write the name on the line marked "write-in," and fill in the oval next to the name like this <input type="radio"/>.</p> | <p>County Executive Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p> | <p>Village Trustee Vote for not more than 2</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> | |
| | <p>County Supervisor, District _ Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p> | <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p> <p><input type="radio"/> write-in:</p> | |
| | <p>Special Partisan Election</p> | <p>Multi-Jurisdictional Judge</p> | <p>Village Clerk Vote for 1</p> |
| | <p>State Senator, District 20 Vote for 1</p> <p><input type="radio"/> Candidate (Republican)</p> <p><input type="radio"/> write-in:</p> | <p>Municipal Judge for the Town of _ and the Village of _. Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p> | <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p> |
| | <p>Judicial</p> | <p>Municipal</p> | <p>Village Treasurer Vote for 1</p> |
| | <p>Justice of the Supreme Court Vote for 1</p> <p><input type="radio"/> Ann W. Bradley</p> <p><input type="radio"/> James P. Daley</p> <p><input type="radio"/> write-in:</p> | <p>Village President Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p> | <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p> |
| <p>Court of Appeals Judge, District _ Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p> | <p>Village Assessor Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p> | <p>Turn ballot over to continue voting.</p> | |
| <p>Circuit Court Judge, Branch _ Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p> | | | |

| | | |
|---|--|--|
| School District | Official Ballot for Nonpartisan Office and Referendum | |
| School Board Member Vote for not more than 2 | April 7, 2015 for | |
| <input type="radio"/> Candidate | Municipality and ward #(s) | |
| <input type="radio"/> Candidate | Ballot issued by | |
| <input type="radio"/> Candidate | | |
| <input type="radio"/> Candidate | | |
| <input type="radio"/> write-in: | Initials of election inspectors | |
| <input type="radio"/> write-in: | Absentee ballot issued by | |
| Referendum | Initials of municipal clerk or deputy clerk (If issued by SVDs, both SVDs must initial.) | |
| To vote in favor of a question, fill in the oval next to "YES," like this <input checked="" type="radio"/> . | Certification of Voter Assistance | |
| To vote against a question, fill in the oval next to "NO," like this <input type="radio"/> . | I certify that I marked this ballot at the request and direction of a voter who is authorized under the law to receive assistance. | |
| State | Signature of assistor | |
| QUESTION 1: "Election of chief justice. Shall section 4 (2) of article VII of the constitution be amended to direct that a chief justice of the supreme court shall be elected for a two-year term by a majority of the justices then serving on the court?" | | |
| <input type="radio"/> YES | | |
| <input type="radio"/> NO | | |
| Municipal | | |
| QUESTION 1: Shall the village..? | | |
| <input type="radio"/> YES | | |
| <input type="radio"/> NO | | |
| School District | | |
| QUESTION 1: Shall the School District..? | | |
| <input type="radio"/> YES | | |
| <input type="radio"/> NO | | |
| Page 2 of 2-sided ballot | | For Official Use Only |
| | | <i>Inspectors: Identify ballots required to be remade.</i> |
| | | Reason for remaking ballot: |
| | | <input type="checkbox"/> Overvoted <input type="checkbox"/> Damaged <input type="checkbox"/> Other |
| | | Original Ballot No. or Duplicate Ballot No. |
| | | _____ |
| | | Initials of inspectors who remade ballot |
| | | _____ |
| Ballot begins on other side. | | |

ATTACHMENT #3

GAB Election Division’s Training Initiatives
12/17/15 – 3/4/15

| Training Type | Description | Class Duration | Target Audience | Number of Classes | Number of Students |
|--|---|--|---|--------------------------|---------------------------|
| SVRS “Initial” Application and Election Management/HAVA Interfaces | Instruction in core SVRS functions – how to navigate the system, how to add voters, how to set up elections and print poll books. | 16 hours | New users of the SVRS application software. | 1 | 18 |
| SVRS “Advanced” Election Management | Instruction for those who have taken “initial” SVRS training and need refresher training or want to work with more advanced features of SVRS. | 2 types of classes: Absentee Process; Reports, Labels & Mailings; 4 hours each | Experienced users of the SVRS application software. | 1 | 12 |
| Municipal Clerk | 2005 Wisconsin Act 451 requires that all municipal clerks attend a state-sponsored training program at least once every 2 years. | 3 hours | All Municipal clerks are required to take the training; other staff may attend. | 2 | 140 |
| Chief Inspector | Instruction for new Chief Inspectors before they can serve as an election official for a municipality during an election. | 3 hours | Election workers for a municipality. | 5 | 200 |

ATTACHMENT #3

GAB Election Division's Training Initiatives
12/17/15 – 3/4/15

| Training Type | Description | Class Duration | Target Audience | Number of Classes | Number of Students |
|--|--|--|--|--|--|
| Election Administration & SVRS Training Webinar Series | Series of 8 - 12 programs designed to keep local government officers up to date on the administration of elections in Wisconsin. | 45 – 120 minute webinar conference hosted and conducted by Elections Division staff. | County and municipal clerks, chief inspectors, poll workers, special registration deputies and school district clerks. | 1/14/15: Absentee Voting: Before, During and After Election Day; 1/18/15: Election Day Duties: Special Topics; 1/21/15: SVRS Overview; 2/25/15: SVRS Spring Election Preparation; 3/4/15: Preparing for the April Election | 50 – 400 per webinar; posted to website for clerks to use on-demand. |
| Other | 3/3/2015: Board staff presented election administration and SVRS information to clerks attending the Wisconsin County Clerks Association winter conference in Madison. | | | | |

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the March 4-5, 2015 Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy, Director and General Counsel
Wisconsin Government Accountability Board

Prepared by: Kevin J. Kennedy, Director and General Counsel
Sharrie Hauge, Chief Administrative Officer
Reid Magney, Public Information Officer

SUBJECT: Administrative Activities

Agency Operations

Introduction

The primary administrative focus for this reporting period has been STAR Project preparations, financial services activity, procuring goods and services, contract sunshine administration, recruiting staff, communicating with agency customers and developing legislative and media presentations.

Noteworthy Activities

1. STAR Project

The State Transforming Agency Resources (STAR) Project is a statewide project that will consolidate multiple outdated human resource, procurement and financial business IT systems into one efficient, transparent and modern enterprise-wide system.

In January the financial staff (Sharrie, Julie, Mike) spent approximately 46 hours working on STAR-related tasks. The level of time commitment that will be required of the financial staff to continue work on the STAR project over the next six-months will increase significantly due to Release 1 and the design of Release 2 which is happening simultaneously. There are several competing priorities in regards to preparing for the data conversion and implementation of Release 1 and the design of Release 2.

Release 1 testing for finance and procurement began the week of February 16. The financial services staff is the primary staff directly involved in Release 1 (finance – accounts payable/receivable and procurement). Staff will spend approximately 5-20 hours per week testing the application, training and preparing role mapping and accounting workbooks for Release 1 until the expected go-live in July 2015.

The financial staff is also responsible for being the agency's training liaisons for the system. The roles and responsibilities include:

- Ensuring that end-users have completed required courses to the required level of competency
- Coordinating participation in end-user training registration/attendance for the agency end-users
- Communicating training issues/concerns to agency change agent and/or STAR training delivery team
- Assisting with training Schedule updates – schedule conflicts, the need for additional classes due to the need for make-up sessions

The financial staff is also responsible for attending Human Capital Management Business Process Workshops (BPW) for Release 2. The BPWs begin the last week in March and continue through May. The BPW presentations will cover enterprise-wide business processes and related changes and impacts in the areas of Human Resources, e-Profile, Benefits, e-Benefits, Payroll, e-Pay, Time and Labor, Absence Management, e-Performance and Enterprise Learning Management. The workshops will provide an opportunity for agency subject matter experts to learn about the new enterprise processes and receive information to understand the impacts and to help us prepare for STAR. Each workshop is scheduled to last an entire day.

The STAR Project has become very labor intensive and will continue to require dedicated G.A.B. staff resources to ensure a successful transition to the new enterprise-wide system. Staff will continue to keep the Board apprised as the STAR project moves forward.

2. Financial Services Activity

- Staff logged federal grant time worked by program, along with state project hours, in anticipation of calculating and booking the fourth quarter payroll adjusting entries, to properly allocate salaries and fringe benefits between federal and state programs. Several payroll funding changes were effected in the payroll system to account for new hires, employee assignment changes, and for staffing transfers between programs. Financial staff is also calculating and monitoring GPR salary savings from vacant and reduced positions for purposes of fiscal year-end budget planning and re-estimates. Fiscal re-estimates were recently requested of the Legislative Fiscal Bureau (LFB), and were calculated for both the GPR and PR funds, to determine if our agency will need to lapse GPR funds and/or need additional GPR funds before fiscal year-end.
- Budget-to-actual operating results for the second fiscal quarter ended December 31 were summarized and communicated to management. Federal grant programs in

aggregate remain within budgeted projections for this fiscal year-to-date. The HAVA 261 accessibility program is slightly over budget because of more temporary accessibility auditors being recruited for the primary and general elections. The G.A.B. is on track to fully expend the 2010 federal HAVA 261 grant allotment of \$201,091 before the September 30 federal fiscal year-end. Agencies are required to expend each allotment year's funds within five years of receipt, or return unspent program monies to the federal government. Thereafter, only one federal grant allotment year remains, specifically \$99,998 from the 2011 federal year. No further allotments are expected for this federal program. The federal HAVA 101 and 251 remaining cash balances were \$2.7 million and \$5.4 million, respectively, as of December 31. All Federal Cash Management system reports for the Section 261 accessibility program expenditures and revenues were reviewed and reconciled each month. The Federal Voting Assistance Program grant is well under budget at this time, mainly because of fewer IT contract staff working on this federal grant. All state GPR and PR program appropriations are currently under budget at this time. However, the state lobbying program supplies and services line item is projected to be \$34,300 over budget by fiscal year-end. In addition, our agency will still be required to lapse \$40,200 cash from one of these state appropriations before fiscal year-end. Financial staff also updated the FY-15 operating budgets within the QuickBooks accounting software for mid-year unallotted fund adjustments and purchase order changes.

- Staff claimed federal reimbursements of \$6,139 for December and January Federal Voting Assistance Program (FVAP) grant expenditures, then prepared journal entries to record revenues receivable and coordinated the accounting for incoming wire transfers with Department of Administration Treasury staff. Bob Lavelle has retired from the U.S. Department of Defense, and we have secured his replacement's name and contact information for future program reporting requirements.
- General ledger accounts for both federal and state payroll and travel balance sheet liabilities were analyzed to facilitate the monthly reconciliation of these 50 ledger account balances. Journal entries to correct any balance sheet account coding errors were prepared and booked. Quarter-end journal entries were also prepared and booked, to reclassify purchasing card expenditure object codes and to properly allocate federal monthly interest earnings and mixed usage server costs to their appropriate federal or state programs. Monthly DOA General Service Billing charges were audited prior to payments being processed, while rent and utility cost allocations were updated for recent payroll funding changes in compliance with federal Office of Management and Budget (OMB) regulations. A refund for a DOA overbilling of storage hosting rate charges was requested, received and booked.
- Financial staff attended both half-day and full-day PeopleSoft meetings on STARCOM finance roles mapping, system integration testing and STAR training liaison duties. Also completed were agency impact assessments for e-procurement, purchasing, supplier contract management, general ledger, projects and grants, accounts receivable, accounts payable, expenses and cash management

- The program to reimburse municipalities for accessible voting equipment sunset August 31, 2014, and the Elections Division has reviewed and approved all final requests for reimbursement as presented before that date. A transfer authorization was requested of and received from the State Budget Office, to move FY15 program funds from the supplies and services line item to the “local aid to municipalities” line item. The remaining \$1,078,131 cash ledger balance will be re-purposed as HAVA 251 program funding before the fiscal year-end.
- Staff updated the SVRS Maintenance and Modernization IT project costs schedule, for projecting FY2016 IT project costs in excess of \$1 million and reporting to the Department of Enterprise Technology (DET), which is due the end of March. During the fiscal year-to-date ended December 31, the G.A.B. has incurred \$768,665 of both employee labor and IT contractor costs for SVRS Maintenance and Modernization projects.

3. Procurements

As part of the February 17 primary election, eight temporary services staff were hired to assist in conducting accessibility audits of polling places throughout the state. A new computer monitor was purchased for Jennifer Webb. Procurement staff is in the process of purchasing SSL Certificates for the CRM Modernization/SVRS project. Various office supplies were also purchased since the last board meeting, including new telephone headsets, printer ink, and reference materials for the MyVote Usability project.

4. Contract Sunshine

Since the December Board meeting, the certification process for the October to December 2014 period was completed. All of the 37 agencies required to report qualified purchases returned the certification in a timely manner. The Contract Sunshine administrator is also working with the STAR project program staff to test the process of uploading data to Contract Sunshine from PeopleSoft. Currently, select state agencies upload files generated with Purchase Plus, which is an application that will be eliminated with the implementation of the STAR project.

5. Staffing

Currently, we have three vacant Elections Specialist positions. Staff has conducted first-round interviews and second-round interviews. Staff anticipates all three positions will be filled by mid-March.

Staff is also working on the vacant Attorney recruitment. Staff has conducted first-round interviews and second-round interviews. Staff anticipates this position will be filled by mid-March.

Additionally, Michael Kukula, Office Operations Associate for the Elections Division has resigned from his position. Michael has worked at G.A.B. for two-years. He accepted a permanent promotional opportunity with UW-Madison, School of Human Ecology. Michael’s last day in the office will be Friday, March 6.

6. Communications Report

Since the December 16, 2014, Board meeting, the Public Information Officer (PIO) has engaged in the following communications activities in furtherance of the G.A.B.'s mission:

Online: As the agency's webmaster, the PIO managed regular updates to the website, assisted the Elections Division with changes to the Clerks section, and participated in meetings regarding the usability and redesign of MyVote.WI.gov.

Media: The Legislative Audit Bureau's report on the G.A.B., legislative proposals to reform the Board, the Spring Election and other issues generated significant numbers of media inquiries. Between December 1, 2014 and February 13, 2015, the PIO logged 190 media and general public phone calls and 301 media email contacts.

Public Records: The G.A.B. received four new public records requests, two of which are comprehensive, between and December 1, 2014, and February 13, 2015.

Other: In addition to handling media inquiries related to the LAB audit report, the PIO spent significant time in November and December working with the Management Team in preparing the agency's written response to the audit and testimony for the Joint Committee on Legislative Audit. The PIO has worked on improving the Board Room's sound system by meeting with representatives of two audio contractors who will submit proposals to improve the sound quality for audience members and integrate the system with telephone for teleconference meetings.

7. Meetings and Presentations

During the time since the December 16, 2014, Board meeting, Director Kennedy has been participating in a series of meetings and working with agency staff on several projects. The primary focus of the staff meetings has been on audit compliance, budget and legislative activities along with preparations for the 2015 spring nonpartisan elections for judicial, county, municipal and school district offices.

On December 18, 2014, Director Kennedy was interviewed for the television show Up Front with Mike Gousha which aired on December 21, 2015. The focus of the interview was the Legislative Audit Bureau report and proposals to "reform" the Government Accountability Board.

On January 14, 2015, Director Kennedy along Board Chair Judge Gerald Nichol and Board Members Judge Harold Froehlich and Judge Timothy Vocke presented testimony and responded to questions from the Joint Legislative Audit Committee on the recently released report prepared by the Legislative Audit Bureau. Judge Barland participated for part of the hearing by telephone.

On January 21, 2015, Director Kennedy and Ethics and Accountability Administrator Jonathan Becker presented testimony and responded to questions from the Joint Legislative Audit Committee on a legislative proposal to permit Legislative Audit Bureau access to

confidential investigative materials of the Government Accountability Board. Under current law, the information is confidential with limited exceptions. There are criminal sanctions for improper release of the records.

On February 12, 2015, the Legislature took final action on 2015 Senate Bill 6. The legislation permits the Government Accountability Board to provide investigatory records to the Legislative Audit Bureau. The bill awaits action by the Governor.

On January 28, 2015, Director Kennedy and Elections Division Administrator Mike Haas met with Senate Minority Leader Schilling to discuss the agency's budget request and legislative agenda.

On January 29, 2015, Director Kennedy, Staff Counsel Nate Judnic, Ethics and Accountability Administrator Jonathan Becker along with Elections Division Administrator Mike Haas met with Mark Person of the FBI. Mr. Person was recently assigned to the Madison office and wanted to share information on the types of activities they investigate as well as learn about the role of the Government Accountability Board.

Our new law student intern, Ann Terrien, began work with an orientation meeting on February 2, 2015. Her arrival continues a fruitful relationship with the University of Wisconsin Law School that has provided law student interns since the fall of 2010.

On February 4, 2015, Director Kennedy, Ethics and Accountability Administrator Jonathan Becker along with Elections Division Administrator Mike Haas met with Senator Lazich. Senator Lazich asked a series of questions to learn our thoughts about changes in the governing structure of the agency.

On February 5, 2015, Supreme Court Chief Justice Shirley Abrahamson drew the names of four appellate court judges to serve on the Government Accountability Candidate Committee. The drawing was conducted in the presence of the other Justices as required by law. Judge Joan Kessler, Judge Paul Reilly, Judge Lisa Stark and Judge Joanne Kloppenburg were selected to serve a two-year term beginning March 1, 2015. They succeed the late Judge Ralph Adam Fine, Judge Michael Hoover and Judge Paul Lundsten. Judge Reilly served on the Government Accountability Candidate Committee during the 2013-2015 term.

On February 6, 2015, Ethics and Accountability Administrator Jonathan Becker, Elections Division Administrator Mike Haas and Public Information Officer Reid Magney hosted a group of international visitors from the Near East and North Africa. The International Institute of Wisconsin coordinates these meetings for the U.S State Department. Over the years the agency has hosted a large number of foreign delegations interested in how Wisconsin conducts elections and administers and enforces campaign finance, ethics and lobbying laws. Following this particular presentation staff received rave reviews for our presentation from the International Institute of Wisconsin.

On February 11-13, 2015, Director Kennedy and Elections Division Administrator Mike Haas attended the Winter meeting of the National Association of State Elections Directors (NASED) in Washington DC. Mike Haas made a presentation on the development of new

statewide voter registration systems. Director Kennedy provided a litigation update for members in the NASED closed session on litigation trends from 2014.

On February 13, 2015, Director Kennedy provided an interview for Milwaukee Public radio on the status of voter ID for the February 17, 2015 spring primary.

On February 16, 2015, Director Kennedy along with Ethics and Accountability Administrator Jonathan Becker met with Attorney General Brad Schimel and his executive team to provide a briefing on the State Code of Ethics for Public Officials. Agency staff routinely provides these briefings to state agency heads and high level administrators in cabinet agencies.

On March 3, 2015, Director Kennedy, Elections Division Administrator Mike Haas along with Elections Supervisor Ross Hein will lead a team of Elections Division Staff for the Winter meeting of the Wisconsin County Clerks Association (WCCA) in Madison. This meeting, at the beginning of the legislative session, is an excellent time to discuss the implications of proposed legislation as well as agency initiatives with our county clerk partners.

Compliance Review Activity

The Director and General Counsel issued four compliance review orders directing local election officials to conform their conduct to law pursuant to Wis. Stat. s. 5.06. The Board delegates this authority to the Director on annual basis. With one exception the decisions involved ballot access determinations by local election officials.

In a decision and order dated January 23, 2015 the Director and General Counsel dismissed a challenge to the validity of a petition for direct legislation, but directed the Oconto Common Council not to submit the proposed legislation to a referendum because the petition did not conform to the statutory requirements for a petition to change the form of city government.

In a decision dated February 6, 2015, the Director and General Counsel upheld the determination of the Janesville School District clerk to deny ballot access to a candidate who failed to include the printed names of individuals who signed her nomination papers. Although the clerk drew the names of candidates for ballot order before making her determination the candidate was not eligible placed on the ballot, this did not entitle the candidate to a place on the ballot when her nomination papers did not conform to the requirements for ballot access.

In another decision dated February 6, 2015, the Director and General Counsel upheld the determination of the Janesville School District clerk to deny ballot access to a candidate who failed to include the date of the election on a nomination paper which resulted in the candidate failing to qualify for the ballot. The clerk was advised not to draw names for candidates before the deadline for filing challenges. The clerk was also advised that an individual challenging nomination papers does not need to be a qualified elector of the school district.

In an order dated February 10, 2015, the Director upheld the decision of the Beloit city clerk to strike several signatures based on her determination that two signatures with similar handwriting were not signed by the individuals whose names appeared on the nomination paper. The determinations to strike a signature with an incomplete address and another signature lacking the full name of the signer were also upheld.

Looking Ahead

The next Board meeting is scheduled for Wednesday, April 15, 2015. The meeting will be held in the agency offices, beginning at 9:00 a.m. This meeting is only six weeks following the current meeting. The primary business between now and April 15 will be approving the final report to the Joint Legislative Audit Committee. It may be more beneficial to conduct a teleconference meeting the week before to review the draft report and postpone the in-person meeting until April 22 or 29, 2015.

Similarly, the June 23, 2015 meeting presents a conflict with a number of June events. It was originally picked because of its proximity to the end of the fiscal year. This was important in the event the State Budget or other legislation included structural changes to the agency and the Board needed to make transitional decisions. There are some mid-June family events of key staff (a wedding, graduations) along with later election official meetings (Wisconsin County Clerks June 23 and NASED June 23-26) which present a conflict. A June 30, 2015 meeting would meet this objective as well as provide sufficient time following a late April meeting to address pending issues.

Action Items

Adjustments to Board Meeting Schedule.

Recommend rescheduling the April and June meetings from April 15, 2015 to April 29, 2015 and June 23, 2015 to June 30, 2015.