Wisconsin Elections Commission

212 East Washington Avenue, 3rd Floor
Post Office Box 7984
Madison, WI 53707-7984
(608) 261-2028
elections@wi.gov
elections.wi.gov

Administrator Michael Haas

COMMISSIONERS

Beverly R. Gill
Julie M. Glancey
Ann S. Jacobs
Steve King
Don Millis
Mark L. Thomsen

MEMORANDUM

DATE: For the Meeting of June 30, 2016 Meeting

TO: Members, Elections Commission

FROM: Michael Haas
Commission Interim Administrator

SUBJECT: Selection of Chair and Other Officers

The process for selecting a Chair for the Elections Commission is governed by Wis. Stat. §5.06(2)(b)1. which reads:

> The chairperson of the elections commission shall be chosen from the members appointed under s. 15.61 (1) (a) 1. to 4. by affirmative vote of at least two-thirds of the commission members at the commission's first meeting every 2 years. The chairperson shall serve a 2-year term. The first chairperson shall be chosen from the commissioners affiliated with the same major political party. The major political party from which to select the first chairperson shall be determined by lot. The 2nd chairperson shall be chosen from the commissioners affiliated with the other major political party. Each subsequent chairperson shall be chosen from the commissioners affiliated with the 2 major political parties on a rotating basis.

This provision ensures that the position of Chair will rotate between the two major political parties every two years. The first Chair will be one of the Commissioners affiliated with the political party which will be chosen by lot at the Commission meeting, and must be elected by at least two-thirds of the Commission members present.

The Commission will need to determine the timing of the start and end of the Chair's term. The statutory provision refers to the selection at "the commission's first meeting every 2 years." The first official meeting of the Elections Commission will be June 30, 2016. If read literally, the statute may require that the Chair's term expires two years from that date. But the Commission meeting that will occur after that time period may not necessarily constitute the Commission's "first meeting," which could also be a reference to the meeting which occurs in January of each year.

Given that terms of the current commissioners expire in either May, 2019 or May, 2021, it could be said that there is a new Commission created when a new appointment is made, but those appointments will be three and five years after the start of the first Chair's term, and so would not coincide with the end of the two-year term.

In addressing these issues, I would recommend that the Commission first determine the ending date for the term of the first Chair and then proceed to the selection process, choosing by lot the majority party that the first Chair will represent, and then electing the Chair.

Wis. Stat. § 15.06(2)(a) provides that "Except as provided in par. (b), each commission may annually elect officers other than a chairperson from among its members as its work requires. The exception in paragraph (b) refers to the selection of the Elections Commission Chair. This provision permits the Commission to also select a Vice Chair and Secretary if it wishes to do so. Selecting a Vice Chair would establish predictability in conducting meetings or performing other tasks in the Chair's absence. The main function of the Secretary would be to certify the minutes of Commission meetings.

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Members of the Wisconsin Elections Commission
Appointed Pursuant to 2015 Wis. Act 118, § 266, para. (8)(ag)

Government Accountability Board Room
212 East Washington Avenue
Madison, Wisconsin
May 12, 2016
4:00 p.m.

Open Session Minutes

Present: Ann S. Jacobs, Steve King, Don Millis and Mark L.Thomsen

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

A. Roll Call

All four Commissioners were present.

B. Report of Appropriate Meeting Notice

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

C. Administrator Recruitment

MOTION: Move into closed session pursuant to § 19.85(1)(c), to consider the employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Moved by Commissioner Thomsen, seconded by Commissioner Millis.

Roll call vote:	Jacobs:	Aye	King:	Aye
	Millis:	Aye	Thomsen:	Aye

Motion carried unanimously. Mr. Haas, Mr. Judnic, Mr. Magney and Ms. Hauge left the meeting.

MOTION: Reconvene in open session. Moved by Commissioner Jacobs, seconded by Commissioner King. Motion carried unanimously.

The Commissioners reconvened in Open Session at 4:25 p.m.

MOTION: Appoint Michael Haas as administrator of the Wisconsin Elections Commission for a four-year term. Moved by Commissioner Millis, seconded by Commissioner Thomsen. Motion carried unanimously.

D. Adjourn

MOTION: To adjourn. Moved by Commissioner King, seconded by Commissioner Thomsen.. Motion carried unanimously.

The Commissioners adjourned at 4:33 p.m.

The first official meeting of the Wisconsin Elections Commission is scheduled for Thursday, June 30, 2016, at the Commission offices in Madison, Wisconsin beginning at 10:00 a.m.

May 12, 2016 Wisconsin Elections Commissioners meeting minutes prepared by:

_____

Reid Magney, Public Information Officer June 20, 2016

May 12, 2016 Wisconsin Elections Commissioners meeting minutes certified by:

_____

Commissioner XXX XXXX, Board Secretary June 30, 2016

WISCONSIN ELECTIONS COMMISSION

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ADMINISTRATOR MICHAEL HAAS

COMMISSIONERS

BEVERLY R. GILL
JULIE M. GLANCEY
ANN S. JACOBS
STEVE KING
DON MILLIS
MARK L. THOMSEN

MEMORANDUM

DATE: For the Meeting of June 30, 2016

TO: Members, Elections Commission

FROM: Michael Haas
Commission Interim Administrator

Prepared and Presented by:
Sharrie Hauge, Chief Administrative Officer

SUBJECT: Agency Transition Update

On June 13, 2016 the Joint Committee on Finance met for its quarterly Section 13.10 meeting, and approved the Department of Administration's implementation plan for the transition of the Government Accountability Board to the Elections and Ethics Commissions, as required by 2015 Wisconsin Act 118. The DOA Transition Plan was provided previously to Commission members. The plan was formed in consultation with key staff of the Government Accountability Board as well as key staff of the Department of Administration.

The Transition Plan requested expenditure authority for the Ethics Commission and Elections Commission by appropriation and specified the funding sources for all positions. The plan also addressed the transfer of the G.A.B.'s assets and liabilities; additional information on positions and the transition of employees; tangible personal property; contracts; rules orders and formal opinions; pending matters; and transitions to and initial terms of the new commissions.

G.A.B. staff spent countless hours working with DOA staff to develop the plan and to begin execution of the numerous tasks and details needed to complete the transition.

For example, in the area of budgeting, new agency codes and alpha appropriations were set up; numeric, funding and FTE positions were entered in the budget system file; and positions were entered into the payroll system for the new agency.

In the area of accounting, new agency business units, chart fields, combination codes and other agency specific program configurations were added in State Transforming Agency Resources (STAR) tables. STAR is the new statewide financial, procurement and human capital management system that was launched in July 2015. Security roles for accounts payable and accounts receivable and procurement were also set up.

In the area of finance administration, new agency purchasing cards need to be created, new use codes for the general services billing were established, requisitions and purchase orders were updated, and financial clean-up and transfer of fund balances to the new agencies need to be completed.

In the area of payroll and benefits, employee classification codes, specialty pay provisions, supervisor assignments and employee profile settings have been updated.

In the area of human resources, employees needed to be transferred to the new positions and employment units to which they were assigned and new appointment letters need to be generated to reflect those changes.

In the area of IT, a website transition plan was developed, a memorandum of understanding for website services was developed, an IT assets list and allocation was established, and new phone lines and phone answering protocols are being established.

In addition to the above tasks being coordinated with DOA staff, there is an expansive checklist of tasks that Commission staff has been working on to prepare for the transition, which includes:

- Creation of new website
- Creation of letterhead/logo and agency certification seal (attached)
- Creation of list servs for new Commissions
- Administrative rules separation
- Modification of existing contracts
- Creation of MOU's for shared services
- Signage
- Setup Outlook/Agency Calendar for new Commissions
- Revision of forms and manuals
- Creation of mail cards

There have been many moving parts and details related to winding down one agency and creating two new agencies. These tasks have been completed while agency staff members have attended to their regular program duties. While staff has tried to address all administrative aspects for establishing a new agency, additional matters will need to be addressed by both staff and the Commission moving forward.

For instance, Wis. Stat. § 5.05 (16) now requires that the Commission annually shall adopt written policies and procedures in order to govern its internal operations and management and shall annually report such policies and procedures to the appropriate standing committees of the Legislature. This provision does not specify a due date for submission of the annual operations and management report to the Legislature. In addition, Wis. Stat. § 5.05 (5e) requires that the <u>commission</u> <u>submit an annual</u> report to the Legislature which in<u>cludes</u> the names and duties of all individuals employed by the <u>commission</u> and a summary of the determinations and advisory opinions it has issued, <u>the statutory duties of the commission administrator, together with a description of the manner in which those duties are being fulfilled, and information regarding any investigations conducted by the Commission</u>. The report is due no later than October 15th of each year. In the interest of

administrative efficiency, the Commission may wish to direct staff to combine these two reporting obligations so that both are satisfied no later than October 15th of each year.

Under the nonstatutory provisions of 2015 Wisconsin Act 118, the Elections Commission is also required to implement recommendations outlined in two audit reports issued by the Legislative Audit Bureau, and report its progress in doing so to the Legislature by December 31, 2016. Commission staff will provide a detailed report regarding implementation of the Audit Bureau's recommendations at a future meeting. In short, all of the recommendations have been implemented with several exceptions that require legislative changes or direction.

This memorandum is provided for the Commission's information and does not require Commission action, but the Commission is free to provide any direction to staff which it may wish to adopt regarding the agency transition tasks.

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WISCONSIN

FORWARD

ELECTIONS COMMISSION

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MEMORANDUM

DATE: For the Meeting of June 30, 2016 Meeting

TO: Members, Elections Commission

FROM: Michael Haas
Commission Interim Administrator

SUBJECT: Commission Organizational Matters

Commission Procedures

The legislation creating the Elections Commission included several provisions governing the conduct of the Commission but in many cases it also permits the Commission to adopt its own internal meeting and management procedures. The Commission should be aware of the following statutory provisions regarding its meetings and procedures:

1. Wis. Stat. § 5.05(1e): Any action by the Commission, except an action relating to procedures of the Commission, requires that affirmative vote of at least two-thirds of the members.

2. Wis. Stat. §5.05(5t): Within 2 months following the publication of a decision of a state or federal court that is binding on the commission and this state, the commission shall issue updated guidance or formal advisory opinions, commence the rule−making procedure to revise administrative rules promulgated by the commission, or request an opinion from the attorney general on the applicability of the court decision.

3. Wis. Stat. § 15.06(5): The Commission shall conduct its meetings in accordance with accepted parliamentary procedure.

4. Wis. Stat. §15.06(6): A majority of the membership of a commission constitutes a quorum to do business, except that vacancies shall not prevent a commission from doing business. This subsection does not apply to the parole commission, elections commission, or ethics commission.

The Commission may establish procedures for itself or its staff provided those procedures do not conflict with the above statutory provisions. The Commission may wish to consider

whether it wishes to provide staff direction on topics such as the structure of meetings, public participation and staff presentations at meetings, and the timing for receipt of meeting materials. Absent specific directions, we would intend to generally start with procedures used by the Government Accountability Board and make any necessary adjustments based on the Commission's experience and preferences.

Role of Commissioners and Staff

Commission members may also wish to discuss their expectations regarding the Commission's mission, and their own role in overseeing the agency and its operations. Commission staff is committed to administering and enforcing election laws in an unbiased manner, serving and partnering with local election officials, emphasizing transparency in our practices and communications with all interested parties, and providing the Commission with the information necessary to make informed decisions. Commission members are welcome to visit the agency offices or attend staff meetings if they wish. Commissioners may also wish to discuss best practices or protocols for communicating with staff if necessary.

Delegation of Authority

The enabling legislation which created the Elections Commission also eliminating Wis. Stat. § 5.05(1)(e), which authorized the Government Accountability Board to delegate specific tasks to the Director and General Counsel. Annually at its January meeting, the Board renewed and revised the delegation of authority under this statute and also delegated other specific authority to the Director, in order to allow the Commission to operate efficiently on a daily basis.

While the enabling legislation eliminated the specific provisions related to the delegation of authority, it also requires the Commission to adopt written policies and procedures to govern its operations and management, and to annually report those policies and procedures to the Legislature. The Commission should consider whether it wishes to delegate any specific authority to the Administrator or other staff. This is also an issue which the Commission may wish to discuss in a preliminary manner and make final determinations about at a future meeting, after the Chair is selected and has an opportunity to consider any preferences for the level of administrative detail which should be brought to the attention of the Chair or the Commission.

As a starting point for this discussion, I have attached a January 12, 2016 memorandum prepared for the Government Accountability Board which thoroughly outlines the history of the Board's delegation of authority and some options which the Commission may wish to consider. If the Commission prefers to issue a delegation of authority at the June 30 meeting, I would be prepared to suggest categories of decision-making which may be appropriate for delegation.

State of Wisconsin\Government Accountability Board

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KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the January 12, 2016 Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy, Director and General Counsel

SUBJECT: Delegation of Authority to Director and General Counsel

By statute, the Government Accountability Board has plenary authority over all of the state's campaign finance, election, ethics and lobbying laws. In separate subsections of Wis. Stat. § 5.05 (1), the Board is given a series of specific, quasi-judicial and litigative powers in addition to its plenary authority. Under Wis. Stat. § 5.05 (1)(e), the Board may delegate some, but not all, of those specific responsibilities to the Director and General Counsel.

On December 10, 2007, the Board designated Kevin J. Kennedy as Wisconsin's chief election official pursuant to Wis. Stat. § 5.05 (3)(g). On January 28, 2008, the Government Accountability Board voted to use the working title of "Director and General Counsel" for its chief legal and administrative officer rather than the statutory title "Legal Counsel" because it was consistent with agencies in other states handling similar functions.

Section 5.05 Government Accountability Board; Powers and Duties.

(1) . . .the Board may:

(e) Delegate to its legal counsel the authority to intervene in a civil action or proceeding under sub. (9), issue an order under s.5.06, exempt a polling place from accessibility requirements under s.5.25 (4)(a), exempt a municipality from the requirement to use voting machines or an electronic voting system under s.5.40 (5m), approve an electronic data recording system for maintaining poll lists under s.6.79, or authorize non-appointment of an individual who is nominated to serve as an election official under s.7.30 (4)(e), subject to such limitations as the board deems appropriate.

Before the passage of 2007 Wisconsin Act 1, the State Elections Board was authorized to delegate this authority along with other specified powers related to the conduct of investigations and enforcement actions to its executive director. 2007 Wisconsin Act 1 removed the authorization for the Government Accountability Board to delegate authority to its chief administrative officer to issue a subpoena, apply for a search warrant or commence a legal action. Now the Board must specifically authorize these actions. Wis. Stat. § 5 05 (1)(b), (2m)(c)4., 6.a.

In addition to the statutory delegation set out in Wis. Stat. § 5.05 (1)(e), the Board has specifically delegated certain administrative matters to the Director and General Counsel to facilitate the day-

to-day operations of the agency. This delegation was done to clarify the scope of the Director and General Counsel's authority. This includes the authority to sign contracts on behalf of the Board; to certify and sign election related documents including candidate certifications, certificates of election, and certifications of election results on behalf of the Board; to accept, review, and exercise discretion to approve applications for voting system modifications for systems previously approved for use in Wisconsin; to implement the Board's determinations regarding sufficiency of nomination papers or qualifications of candidates; to communicate with litigation counsel representing the Board in order to make timely necessary decisions regarding Board litigation; and to make a finding pursuant to Executive Order #50, Sec. IV(8), that a proposed administrative rule does not have an economic impact.

In 2013, the Board withdrew its delegation for the Director and General Counsel to apply for federal funds and sign certifications related to federal funding eligibility on behalf of the Board. As a consequence the Board will review staff requests to take these actions before they are authorized.

In 2014, the Board decided to clarify the Director and General Counsel's 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.

In 2015, the Board decided to further clarify the Director and General Counsel's authority to sign contracts on behalf of the agency. The Director is required to request approval from Board Chair and provide five days' prior notice to the Board before entering into a sole source contract regardless of the dollar amount. The Director is required to request approval from the Board for purchases from a statewide contract over $100,000. The Director is required to request approval from the Board prior to posting a Request for Proposal or Request for Bid. The staff is required to provide quarterly expenditure reports to the Board.

The Director and General Counsel is required to consult with the Board Chair to determine whether Board Members should be polled or a special meeting conducted before most delegated action is taken. The Director and General Counsel is also required to report, at the Board meeting immediately following action on any delegated authority, the specifics of any action taken, the basis for taking the action, and the outcome of that action.

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.

Recommendation

I recommend the Board delegate the following quasi-judicial and litigation authority to the Director and General Counsel pursuant to Wis. Stat. § 5.05 (1)(e), and his role as agency head and chief state election official:

- To intervene in court actions under the provisions of Wis. Stat. § 5.05(9);

- To issue compliance review orders under the provisions of Wis. Stat. § 5.06;

- To exempt municipalities from polling place accessibility requirements pursuant to the provisions of Wis. Stat. § 5.25(4)(a);

- To exempt municipalities from the requirements for the use of voting machines or electronic voting systems pursuant to the provisions of Wis. Stat. § 5.40(5m);

- To authorize the non-appointment of an individual who is nominated to serve as an election official under the provisions of Wis. Stat. § 7.30(4)(e);

- To sign contracts on behalf of the Board, except as provided in Wis. Stat. § 5.05(2m), and for any contract involving a sum over $100,000 the Director must first consult with the Board Chair. In addition, the Director is required to request approval from Board Chair and provide five days' prior notice to the Board before entering into a sole source contract regardless of the dollar amount. The Director is required to request approval from the Board for purchases from a statewide contract over $100,000. The Director is required to request approval from the Board prior to posting a Request for Proposal or Request for Bid. In accordance with the foregoing, the Director has the authority to execute and sign contracts;

- To certify and sign election related documents including candidate certifications, certificates of election, and certifications of election results on behalf of the Board;

- To accept, review, and exercise discretion to approve applications for voting system modifications characterized as engineering change orders (ECOs) for systems previously approved for use in Wisconsin;

- To implement the Board's determinations regarding sufficiency of nomination papers or qualifications of candidates;

- To communicate with litigation counsel representing the Board in order to make timely necessary decisions regarding Board litigation;

- To make a finding pursuant to Executive Order #50, Sec. IV(8), that a proposed rule does not have an economic impact.

This delegation would be subject to the requirement that before it is exercised, the Director and General Counsel consult with the Board Chair to determine whether Board members should be polled or a special meeting conducted before action is taken. In addition, the Director and General Counsel would be required to report, at the Board meeting immediately following action on the delegated authority, the specifics of the action taken, the basis for taking the action, and the outcome of that action.

The only exceptions to consultation with the Board Chair would be decisions to permit a municipality to use paper ballots instead of electronic voting equipment; to approve applications for voting system engineering change orders (ECOs); to exempt municipalities from polling place accessibility requirements; to authorize the non-appointment of an individual who is nominated to serve as an election official; and to sign certificates of election and other election related certifications on behalf of the Board.

Permitting a municipality to use paper ballots instead of electronic voting equipment is a fairly routine decision that is predicated on unique circumstances such as the cost of programming electronic voting equipment when there is only one race on the ballot. Applications for ECOs generally involve practical modifications based on discontinuance of parts or other minor modifications that do not impact the tabulation or compilation of election results. Applications for exemption from accessibility requirements are rare and generally involve last minute construction issues.

Agency purchases are governed by state procurement requirements. Very few contracts exceed $100,000. Post-election certifications are generally administrative in nature, time sensitive and necessary to ensure an orderly transition of leadership following an election. These election-related certifications cannot be completed while a recount or litigation challenging a recount is pending. Wis. Stat. § 7.70 (5)(a).

This delegation continues beyond the calendar year until reviewed by the Board. This specific delegation should be reviewed upon any transition in the position of Director and General Counsel.

A proposed motion is set out below:

MOTION: Pursuant to Wis. Stat. § 5.05 (1)(e), and his role as agency head and chief state election official, the Government Accountability Board delegates the following authority to its Director and General Counsel:

1) To intervene in actions under the provisions of Wis. Stat. § 5.05(9);

2) To issue compliance review orders under the provisions of Wis. Stat. § 5.06;

3) To exempt municipalities from polling place accessibility requirements pursuant to the provisions of Wis. Stat. § 5.25(4)(a);

4) To exempt municipalities from the requirements for the use of voting machines or electronic voting systems pursuant to the provisions of Wis. Stats. § 5.40(5m);

5) To authorize the non-appointment of an individual who is nominated to serve as an election official under the provisions of Wis. Stat. § 7.30(4)(e);

6) To sign contracts on behalf of the Board, except as provided in Wis. Stat. § 5.05(2m), and for any contract involving a sum over $100,000 the Director must first consult with the Board Chair. In addition, the Director is required to request approval from Board Chair and provide five days' prior notice to the Board before entering into a sole source contract regardless of the dollar amount. The Director is required to request approval from the Board for purchases from a statewide contract over $100,000. The Director is required to request approval from the Board prior to posting a Request for Proposal or Request for Bid. In accordance with the foregoing, the Director has the authority to execute and sign contracts;

7) To certify and sign election related documents including candidate certifications, certificates of election on behalf of the Board, and certifications of election results;

8) To accept, review, and exercise discretion to approve applications for voting system modifications characterized as engineering change orders for systems (ECOs) previously approved for use in Wisconsin;

9) To implement the Board's determinations regarding sufficiency of nomination papers or qualifications of candidates;

10) To communicate with litigation counsel representing the Board in order to make timely necessary decisions regarding Board litigation;

11) To make a finding pursuant to Executive Order #50, Sec. IV (8), that a proposed rule does not have an economic impact.

The Director and General Counsel shall consult with the Board Chair to determine whether Board members should be polled or a special meeting conducted before action is taken. The Director and General Counsel does not need to consult with the Board Chair with respect to decisions to permit a municipality to use paper ballots instead of electronic voting equipment, to approve applications for voting system engineering change orders (ECOs), to exempt municipalities from polling place accessibility requirements, to authorize the non-appointment of an individual who is nominated to serve as an election official, and to sign contracts, certificates of election and election-related certifications on behalf of the Board. The Director and General Counsel shall also report, at the Board meeting immediately following action on the delegated authority, the specifics of the action taken, the basis for taking the action and the outcome of that action.

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MEMORANDUM

DATE: For the Meeting of June 30, 2016

TO: Members, Elections Commission

FROM: Michael Haas
Commission Interim Administrator

Prepared and Presented by:
Nathan W. Judnic, Staff Counsel

SUBJECT: Memoranda of Understanding with Wisconsin Ethics Commission

As part of the agency transition plan required by 2015 Wisconsin Act 261 which was prepared by the Department of Administration and approved by the Legislature's Joint Committee on Finance, several Memoranda of Understanding (MOU) between the Elections Commission and the Ethics Commission should be utilized to share identified services and functions at least while the commissions are co-located at 212 E. Washington Ave., 3rd Floor through December 31, 2018.

During the transition planning, four (4) draft MOU's were created to identify specific services and functions that the staff believes could be shared between the Commissions. As set forth in the approved plan, members of the Elections Commission should perform various administrative functions for the Ethics Commission, including budgeting, human resources, contracts and purchasing, information technology support including data sharing, website maintenance, administrative support and public information officer duties.

The MOU's have been drafted for signature/execution by the respective Commission administrators. As you may be aware, the Wisconsin Ethics Commission has yet to appoint its administrator, therefore none of these MOU's will be in effect until that appointment is made and the individual has had a chance to review the agreements and discuss them with the Wisconsin Ethics Commission. Therefore there is no immediate action the Commission must take, but the staff is open to any feedback or questions you may have.

Attached to this memorandum are the draft MOU's for the Commission's review.

MEMORANDUM OF UNDERSTANDING BETWEEN

THE WISCONSIN ELECTIONS COMMISSION

AND

THE WISCONSIN ETHICS COMMISSION

SHARED OFFICE SPACE AGREEMENT

I. PARTIES

The parties to this Memorandum of Understanding (hereinafter referred to as "MOU" or "agreement") are the Wisconsin Elections Commission (hereinafter referred to as "Elections Commission") and the Wisconsin Ethics Commission (hereinafter referred to as "Ethics Commission"), both are Wisconsin state agencies with effective start dates of June 30, 2016. The Elections Commission and Ethics Commission are the successor agencies of the former Wisconsin Government Accountability Board (hereinafter referred to as "GAB") and regulate elections, campaign finance, lobbying and ethics of state public officials.

II. PURPOSE

The State of Wisconsin, Department of Administration (DOA) and HUM West Wilson, LP entered into a lease agreement for office space located at 212 E. Washington Ave., Madison, WI 53703, 3rd Floor (hereinafter referred to as "former GAB office space") on October 17, 2008. (Attachment A). The current lease agreement expires on December 31, 2018. The current lease agreement allows the Department of Administration to designate which agency or agencies (tenant) occupy the former GAB office space. An amended lease agreement, designating the agencies is anticipated and should be attached to this agreement once executed. The Elections Commission and Ethics Commission intend to occupy the former GAB office space until the current lease agreement expires. The purpose of this MOU is to set forth the agreed upon terms and conditions of sharing the former GAB office space for the duration of the lease.

III. TERM OF AGREEMENT

This MOU shall remain in effect until the expiration of the current lease agreement on December 31, 2018, unless the agreement is terminated in accordance with the procedures set forth in Section IX. of this agreement.

IV. COMPLIANCE WITH CURRENT LEASE AGREEMENT

DRAFT

The Elections Commission and Ethics Commission once designated as tenants of the former GAB office space, are subject to the terms and conditions of the current lease agreement, and agree to comply with those terms and conditions.

V. ALLOCATION OF RENT AND OTHER EXPENSES

A. As the lessee, DOA is responsible for making monthly rent payments to HUM West Wilson, LP in accordance with the schedule contained in the current lease agreement. (See Attachment A, ¶5). As the designated tenants of the former GAB office space, the Elections Commission and Ethics Commission will be invoiced by DOA for their allocated share of the total rent. The allocated share of the rent shall be calculated using the FTE position and office space use calculation made by the Elections Commission financial staff. The calculation shall be approved by the Administrator of each commission and shall be communicated to DOA once approved to facilitate accurate billing for each commission.

B. As the lessee, DOA is responsible for the costs of the janitorial services; electrical service costs (lights and outlets) and pro rata share of the real estate taxes (including any special assessments) for the building. These additional costs are charged to DOA at the end of each calendar year through an "operating expense reconciliation" process which is outlined in the current lease agreement. (See Attachment A, ¶27). As the designated tenants of the former GAB office space, the Elections Commission and Ethics Commission will be invoiced by DOA for their allocated share (as described in the paragraph A. above) of the additional costs that are subject to the "operating expense reconciliation" process.

C. All other costs or charges related to the former GAB office space as a whole shall be paid by each commission in accordance with the allocated share calculation described in paragraph A. above.

VI. USE OF OFFICE COMMON AREAS

A. CONFERENCE ROOMS
The Elections Commission and Ethics Commission shall have equal access to the three (3) main conference rooms: Boardroom, Large Conference Room, Small Conference Room. Reservations shall be made using a shared calendar application that both commissions can use to book a conference room for commission business. Reservations of each conference room shall be honored on a 'first come, first served' basis.

B. BREAKROOM/KITCHEN
The Elections Commission and Ethics Commission shall have equal access to the breakroom/kitchen area of the former GAB office space. An alternating regular schedule to clean the kitchen appliances (including refrigerator, freezer, microwaves, sink, counters and pizza oven) shall be established, with the Elections Commission

and Ethics Commission Administrators both designating a representative to establish the schedule and recruit staff members to assist in completing the task.

Any costs related to fixing or replacing appliances shall be allocated in accordance with the provisions contained in Section V. C of this agreement.

C. RECEPTION/PUBLIC VIEWING AREA
The Elections Commission and Ethics Commission shall have equal access to the reception/public viewing area of the former GAB office space. The reception counter, waiting area and coat closets shall be shared by both commissions to serve members of the public wishing to visit either commission. The public viewing area and computer equipment located in the public viewing area shall be shared by both commissions to serve members of the public seeking assistance from either commission.

D. RESTROOMS
The Elections Commission and Ethics Commission shall have equal access to the restrooms located in the former GAB office space. Janitorial services to clean and maintain the restrooms shall be paid for in accordance with the terms of the existing lease, and outlined in Section V. B of this agreement.

E. IT STORAGE ROOM
The Elections Commission and Ethics Commission shall have equal access to the IT storage room located in the former GAB office space. Both commissions may store computer equipment, projectors and other accessories in the IT storage room as space permits.

F. BASEMENT LEVEL STORAGE ROOM
The Elections Commission and Ethics Commission shall have equal access to the basement level storage room in the former GAB office space. Both commissions may store files, equipment and other accessories in the basement level storage room as space permits. Access to the basement level storage room shall be managed by the reception staff, and will provide the door key upon request of a staff member from either commission.

VII. USE OF OFFICE INFRASTRUCTURE

A. OFFICES AND CUBICLES
To the greatest extent possible, employees of the Elections Commission and Ethics Commission shall retain their individual offices and cubicles assigned when working for the Government Accountability Board. A diagram outlining usage of offices and cubicles for each commission is attached to this agreement (See Attachment B).

B. PHONES
To the greatest extent possible, employees of the Elections Commission and Ethics Commission shall retain their individual desk phone number assigned when working

for the Government Accountability Board. Each commission shall be responsible for its share of the monthly phone bill and related charges in accordance with the FTE position and office space use calculation for each commission. The Elections Commission shall retain the "main line" phone number of (608) 266-805, the toll free phone of 866-VOTEWIS and the Helpdesk phone number of (608) 261-2028. The Ethics Commission shall obtain a new "main line" phone number effective June 30, 2016.

C. INTERNET ACCESS/E-MAIL ACCOUNTS
The Elections Commission and Ethics Commission shall have equal access to wired and wireless internet connectivity throughout the former GAB office space. Each commission shall be responsible for its share of the monthly internet access bill and related charges in accordance with the FTE position and office space use calculation for each commission.

D. SHARED STORAGE DRIVES
The Elections Commission and Ethics Commission shall have equal access to a shared storage drive that will provide access to electronic versions of public documents which are needed for each commission to complete its duties. The shared storage drive may contain historical documents such as GAB Board meeting materials, opinions, guidelines, ballot access documents and other reports that may be used by both commissions. Each commission shall be responsible for its share of the monthly storage fees and related charges in accordance with the FTE position and office space use calculation for each commission.

E. NETWORKED COPY MACHINES/PRINTERS/FAX MACHINE/SCANNERS
The Elections Commission and Ethics Commission shall have equal access to use of networked IT equipment, including copy machines, printers, fax machines and scanners. Each commission shall be responsible for its share of the monthly rental fees, maintenance charges and related supplies in accordance with the FTE position and office space use calculation for each commission.

F. OFFICE SUPPLIES
The Elections Commission and Ethics Commission shall have equal access to general office supplies, such as pens, pencils, post-it notes, paper, folders, staples, envelopes, paperclips and other basic office supplies. Each commission shall be responsible for its share of the cost in maintaining adequate office supplies in accordance with the FTE position and office space use calculation for each commission. Specialized office supplies needed by only one commission shall be the sole responsibility of that commission, and are not subject to the FTE position and office space use calculation.

G. FILE STORAGE
The Elections Commission and Ethics Commission shall have equal access to onsite file storage using existing file cabinets throughout the former GAB office space. The Elections Commission shall maintain file cabinets containing election related

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documents. The Ethics Commission shall maintain file cabinets containing ethics, campaign finance, lobbying and contract sunshine documents.

VIII. PARKING SPACES

A. The Elections Commission Administrator and Ethics Commission Administrator shall have a right to rent one (1) on-site parking stall located in the basement level of the building housing the former GAB office space. The terms of the parking space rental shall be in accordance with the current lease agreement.

B. Except as provided in sub. A. of this Section, the right to rent the twelve (12) on-site parking stalls (8 garage spaces (numbered 1-8), 4 surface lot spaces (unnumbered)) provided in the current lease agreement shall transfer with the employee currently renting those stalls, regardless of commission.

C. If the Elections Commission Administrator and/or Ethics Commission Administrator choose to rent a parking stall in pursuant to sub. A. of this Section, employee parking rental under sub. B. of this Section shall be adjusted using the following seniority assignment method:

   i. Employees, regardless of commission, that have rented a parking stall in the basement or in the surface lot since the inception of the current lease agreement (October 2008) shall retain their assigned stall.

   ii. Employees, regardless of commission, that have rented a parking stall in the basement or the surface lot at a time after the inception of the current lease agreement shall retain their assigned stall based on the length of time they have rented the stall, in comparison to other employees in the same category. The employee with the longer tenure of renting a parking stall in either location shall retain their stall.

D. Each employee is responsible for direct monthly payments of the applicable parking fee to HUM West Wilson LP (checks payable to 10 West Family).

IX. TERMINATION, AMENDMENT OR RENEWAL OF AGREEMENT

A. Termination: This agreement may be terminated by mutual written agreement between the Elections Commission Administrator and the Ethics Commission Administrator. The party wishing to terminate this agreement shall provide sixty (60 days) written notice to the other respective party, stating their intent to terminate the agreement. If no mutual written agreement between the respective parties can be reached, this MOU remains in effect unless an order to amend the agreement is entered by a court of law. Regardless of whether a mutual written agreement can be made by the parties, the terminating party shall be responsible for payment of rent and other expenses until December 31, 2018, in accordance with the calculated FTE and office use allocation as set forth in Section IV. of this agreement.

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B. Amendment: This agreement may be amended by mutual written agreement between the Elections Commission Administrator and the Ethics Commission Administrator. The agency wishing to amend this agreement shall provide sixty (60) days written notice to the other respective party and provide any proposed amendment language. If no mutual written agreement between the respective parties can be reached, this MOU remains in effect unless an order to amend the agreement is entered by a court of law.

C. Renewal: This agreement may be renewed should the current lease be extended beyond December 31, 2018, and the Elections Commission and Ethics Commission choose to remain in the same former GAB office space. Any renewal of this agreement would require written approval by the Elections Commission Administrator and the Ethics Commission Administrator. If no written agreement to extend this agreement is reached, it expires on December 31, 2018, per Section III. of this agreement.

X. AGREEMENT CONTACTS

Elections Commission: The contact person for this agreement within the Elections Commission is _____, Elections Commission Administrator.

[Insert email address and phone number]

Ethics Commission: The contact person for this agreement within the Ethics Commission is _____, Ethics Commission Administrator.

[Insert email address and phone number]

Should either of the contacts for each commission no longer be available to act in that role for this agreement, a new contact shall be determined by the respective commission as soon as practicable and such information shall be communicated with the other commission in writing within 10 days of the change.

XI. EFFECTIVE DATE

This agreement shall be effective on the date in which the last signature of the authorized representative of the Elections Commission or the Ethics Commission is obtained on the attached Shared Office Space Agreement Signature Page.

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MEMORANDUM OF UNDERSTANDING BETWEEN

THE WISCONSIN ELECTIONS COMMISSION

AND

THE WISCONSIN ETHICS COMMISSION

SHARED OFFICE SPACE AGREEMENT

SIGNATURE PAGE

SIGNATURES:

For the Wisconsin Elections Commission

By: _____

[Insert Printed Name and Title]

Dated this _____ day of _____, 2016

For the Wisconsin Ethics Commission

By: _____

[Insert Printed Name and Title]

Dated this _____ day of _____, 2016

Effective: Date of last signature above.

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MEMORANDUM OF UNDERSTANDING BETWEEN

THE WISCONSIN ELECTIONS COMMISSION

AND

THE WISCONSIN ETHICS COMMISSION

DATA EXCHANGE AGREEMENT

I. PARTIES

The parties to this Memorandum of Understanding (hereinafter referred to as "MOU" or "agreement") are the Wisconsin Elections Commission (hereinafter referred to as "Elections Commission") and the Wisconsin Ethics Commission (hereinafter referred to as "Ethics Commission"), both are Wisconsin state agencies with effective start dates of June 30, 2016. The Elections Commission and Ethics Commission are the successor agencies of the former Wisconsin Government Accountability Board (hereinafter referred to as "GAB") and regulate elections, campaign finance, lobbying and ethics of state public officials.

II. PURPOSE

The purpose of this MOU is to facilitate the sharing of data maintained by both commissions to assist in carrying out each commission's statutory responsibilities.

III. TERM OF AGREEMENT

This MOU shall remain in effect indefinitely, unless terminated or amended in accordance with the terms contained in Section VI. of this agreement.

IV. SHARED DATA

A. Ballot Access Tracking – Candidate Registration Statements

The Ethics Commission maintains the Campaign Finance Information System (hereinafter referred to as "CFIS") which tracks all registered candidates for state public office. The Elections Commission maintains the State's centralized voter registration system and election administration system named WisVote (formerly known as SVRS). Both systems require the tracking of candidates for state public office, but for different purposes.

Candidates for state public office file a campaign registration statement with the Ethics Commission (either on paper, or using CFIS) as they are the filing officer for

campaign finance reports. The campaign registration statement is also a required ballot access document – meaning, if a candidate does not file a campaign registration statement with the Ethics Commission by the statutory deadline, the candidate's name is not certified by the Elections Commission for placement on the ballot. The Elections Commission tracks ballot access for all candidates for state public office using the WisVote system.

The timely sharing of candidate registration information between the Elections Commission and Ethics Commission is essential to the success of both commission's candidate tracking requirements.

B. Ballot Access Tracking – Statements of Economic Interest

The Ethics Commission maintains the Eye on Financial Relationships database which tracks all individuals required to file a Statement of Economic Interests (hereinafter referred to as "SEI") with the commission. Candidates for state public office are individuals required to file an SEI with the commission. The Elections Commission maintains the State's centralized voter registration system and election administration system named WisVote (formerly known as SVRS) and tracks whether a candidate has filed a timely SEI with the Ethics Commission.

Candidates for state public office file an SEI with the Ethics Commission as they are the filing officer for the statement under the State Ethics Code. The SEI is also a required ballot access document – meaning, if a candidate does not file an SEI with the Ethics Commission by the statutory deadline, the candidate's name is not certified by the Elections Commission for placement on the ballot. The Elections Commission tracks ballot access for all candidates for state public office using the WisVote system.

The timely sharing of SEI filing information between the Elections Commission and Ethics Commission is essential to the success of both commission's tracking requirements.

C. Other Data Identified by the Commissions

In addition to the specific data referenced in subsections A. and B. above, the Elections Commission and Ethics Commission agree to exchange other data as identified as necessary by either commission to fulfill their statutory duties.

V. DATA EXCHANGE

The Elections Commission Administrator and Ethics Commission Administrator shall agree to a data exchange method that is minimally disruptive to the day to day operations of each Commission. An electronic method of data sharing, with minimal staff

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intervention, such as a scheduled interface service, shall be the preferred method of exchanging data if possible.

VI. TERMINATION OR AMENDMENT OF AGREEMENT

A. Termination: This agreement may be terminated by mutual written agreement between the Elections Commission Administrator and the Ethics Commission Administrator. The party wishing to terminate this agreement shall provide sixty (60 days) written notice to the other respective party, stating their intent to terminate the agreement. If no mutual written agreement between the respective parties can be reached, this MOU remains in effect unless an order to amend the agreement is entered by a court of law.

B. Amendment: This agreement may be amended by mutual written agreement between the Elections Commission Administrator and the Ethics Commission Administrator. The agency wishing to amend this agreement shall provide sixty (60) days written notice to the other respective party and provide any proposed amendment language. If no mutual written agreement between the respective parties can be reached, this MOU remains in effect unless an order to amend the agreement is entered by a court of law.

VII. AGREEMENT CONTACTS

Elections Commission: The contact person for this agreement within the Elections Commission is _____, Elections Commission Administrator.

[Insert email address and phone number]

Ethics Commission: The contact person for this agreement within the Ethics Commission is _____, Ethics Commission Administrator.

[Insert email address and phone number]

Should either of the contacts for each commission no longer be available to act in that role for this agreement, a new contact shall be determined by the respective commission as soon as practicable and such information shall be communicated with the other commission in writing within 10 days of the change.

VIII. EFFECTIVE DATE

This agreement shall be effective on the date in which the last signature of the authorized representative of the Elections Commission or the Ethics Commission is obtained on the attached Shared Staffing Agreement Signature Page.

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MEMORANDUM OF UNDERSTANDING BETWEEN

THE WISCONSIN ELECTIONS COMMISSION

AND

THE WISCONSIN ETHICS COMMISSION

DATA EXCHANGE AGREEMENT

SIGNATURE PAGE

SIGNATURES:

For the Wisconsin Elections Commission

By: _____

[Insert Printed Name and Title]

Dated this _____ day of _____, 2016

For the Wisconsin Ethics Commission

By: _____

[Insert Printed Name and Title]

Dated this _____ day of _____, 2016

Effective: Date of last signature above.

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MEMORANDUM OF UNDERSTANDING BETWEEN

THE WISCONSIN ELECTIONS COMMISSION

AND

THE WISCONSIN ETHICS COMMISSION

SHARED STAFFING AGREEMENT – WEBSITE MANAGEMENT, PUBLIC INFORMATION OFFICER

I. PARTIES

The parties to this Memorandum of Understanding (hereinafter referred to as "MOU" or "agreement") are the Wisconsin Elections Commission (hereinafter referred to as "Elections Commission") and the Wisconsin Ethics Commission (hereinafter referred to as "Ethics Commission"), both are Wisconsin state agencies with effective start dates of June 30, 2016. The Elections Commission and Ethics Commission are the successor agencies of the former Wisconsin Government Accountability Board (hereinafter referred to as "GAB") and regulate elections, campaign finance, lobbying and ethics of state public officials.

II. PURPOSE

The purpose of this MOU is to identify the tasks/services and employees that will be shared by both commissions through December 31, 2018. The Elections Commission and Ethics Commission intend to occupy the former GAB office space at 212 E. Washington Ave., Madison, WI, 53703, 3rd Floor, until the current lease agreement for that space expires on December 31, 2018. To reduce duplicated services while the commissions share office space, the Elections Commission and Ethics Commission agree to share the services of the public information officer to oversee website management and traditional public information officer tasks/services for both commissions. The public information officer will be an employee of the Elections Commission and provide services to the Ethics Commission. The public information officer will complete bi-weekly timesheets outlining tasks/services he or she has completed for the Ethics Commission pursuant to this agreement.

III. TERM OF AGREEMENT

This MOU shall remain in effect until December 31, 2018, unless the agreement is amended, terminated or extended in accordance with the procedures set forth in Section VI. of this agreement.

IV. SHARED PUBLIC INFORMATION OFFICER TASKS AND SERVICES

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A. PUBLIC INFORMATION OFFICER

The public information officer for the Elections Commission shall be utilized by both commissions. The public information officer shall complete the following tasks for both commissions when necessary (this is not an exhaustive list):

1. Manage and respond to public records requests submitted to each commission to comply with the State's public records laws
2. Respond to inquiries from the media and the public about each commission's activities
3. Take minutes and provide logistical support for each commission's public meetings
4. Draft and post appropriate meeting notices for each commission's public meetings to comply with the State's open meeting laws
5. Draft press releases on behalf of each commission regarding either commission's activities
6. Coordinate media availability and planned interviews for each commission's members, administrator and staff
7. Manage each commission's social media presence, including Facebook and Twitter accounts
8. Serve as each commission's spokesperson when responding to inquiries from the public or media
9. Keep members of each commission apprised of relevant media reports, publicity and legislative action related to the activities of the commissions

The public information officer shall track his or her time in accordance with the procedures set forth in Section V. of this agreement.

B. WEBSITE MANAGEMENT

The public information officer for the Elections Commission shall be utilized by both commissions to manage each commission's website. The public information officer shall complete the following website management tasks for each commission when necessary (this is not an exhaustive list):

1. Develop official websites for each commission in consultation with the commissions' administrators and program staff
2. Manage the content of each commission's official website, including document libraries
3. Consult with each commission's staff on the development of program-specific websites
4. Train members of each commission's staff to post, edit and remove routine website
5. Receive and disseminate complaints and comments to the appropriate staff members that are received through either commission's website

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6. Act as the in-house point of contact for either commission when dealing website service providers

The public information officer shall track his or her time in accordance with the procedures set forth in Section V. of this agreement.

V. SHARED EMPLOYEE TIME-KEEPING

The public information officer shall keep bi-weekly timesheets accounting for time spent on Ethics Commission tasks and projects rounded to the nearest ¼ hour. The completed, signed timesheet shall be submitted to the public information officer's supervisor and the Ethics Commission Administrator on a bi-weekly basis for review. If the public information officer's supervisor and the Ethics Commission Administrator are in agreement as to the time charged to a specific task, both shall sign the timesheet and forward it to the budget/financial staff. If a question or objection is raised either by the public information officer's supervisor or the Ethics Commission Administrator, the public information officer may be required to provide documentation or a demonstration of the tasks performed to justify the time charged on the timesheet. The budget/financial staff shall make quarterly adjustments to ensure the appropriate commission's budget is charged based on the timesheets signed by the public information officer, the public information officer's supervisor and the Ethics Commission Administrator.

VI. TERMINATION, AMENDMENT OR RENEWAL OF AGREEMENT

A. Termination: This agreement may be terminated by mutual written agreement between the Elections Commission Administrator and the Ethics Commission Administrator. The party wishing to terminate this agreement shall provide sixty (60) days written notice to the other respective party, stating their intent to terminate the agreement. If no mutual written agreement between the respective parties can be reached, this MOU remains in effect unless an order to amend the agreement is entered by a court of law.

B. Amendment: This agreement may be amended by mutual written agreement between the Elections Commission Administrator and the Ethics Commission Administrator. The agency wishing to amend this agreement shall provide sixty (60) days written notice to the other respective party and provide any proposed amendment language. If no mutual written agreement between the respective parties can be reached, this MOU remains in effect unless an order to amend the agreement is entered by a court of law.

C. Renewal: This agreement may be renewed should the current lease be extended beyond December 31, 2018, and the Elections Commission and Ethics Commission choose to continuing sharing staff members while located in the same office space. Any renewal of this agreement would require written approval by the Elections Commission Administrator and the Ethics Commission Administrator. If no mutual

written agreement to renew this agreement is reached, it expires on December 31, 2018, per Section III. of this agreement.

VII. AGREEMENT CONTACTS

Elections Commission: The contact person for this agreement within the Elections Commission is _____, Elections Commission Administrator.

[Insert email address and phone number]

Ethics Commission: The contact person for this agreement within the Ethics Commission is _____, Ethics Commission Administrator.

[Insert email address and phone number]

Should either of the contacts for each commission no longer be available to act in that role for this agreement, a new contact shall be determined by the respective commission as soon as practicable and such information shall be communicated with the other commission in writing within 10 days of the change.

VIII. EFFECTIVE DATE

This agreement shall be effective on the date in which the last signature of the authorized representative of the Elections Commission or the Ethics Commission is obtained on the attached Shared Staffing Agreement Signature Page.

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MEMORANDUM OF UNDERSTANDING BETWEEN

THE WISCONSIN ELECTIONS COMMISSION

AND

THE WISCONSIN ETHICS COMMISSION

SHARED STAFFING AGREEMENT – WEBSITE MANAGEMENT, PUBLIC INFORMATION OFFICER

SIGNATURE PAGE

SIGNATURES:

For the Wisconsin Elections Commission

By: _____

[Insert Printed Name and Title]

Dated this _____ day of _____, 2016

For the Wisconsin Ethics Commission

By: _____

[Insert Printed Name and Title]

Dated this _____ day of _____, 2016

Effective: Date of last signature above.

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MEMORANDUM OF UNDERSTANDING BETWEEN

THE WISCONSIN ELECTIONS COMMISSION

AND

THE WISCONSIN ETHICS COMMISSION

SHARED STAFFING AGREEMENT – RECEPTION, BUDGET/FINANCIAL, PROCUREMENT AND PERSONNEL

I. PARTIES

The parties to this Memorandum of Understanding (hereinafter referred to as "MOU" or "agreement") are the Wisconsin Elections Commission (hereinafter referred to as "Elections Commission") and the Wisconsin Ethics Commission (hereinafter referred to as "Ethics Commission"), both are Wisconsin state agencies with effective start dates of June 30, 2016. The Elections Commission and Ethics Commission are the successor agencies of the former Wisconsin Government Accountability Board (hereinafter referred to as "GAB") and regulate elections, campaign finance, lobbying and ethics of state public officials.

II. PURPOSE

The purpose of this MOU is to identify the tasks/services and employees that will be shared by both commissions through December 31, 2018. The Elections Commission and Ethics Commission intend to occupy the former GAB office space at 212 E. Washington Ave., Madison, WI, 53703, 3rd Floor, until the current lease agreement for that space expires on December 31, 2018. To reduce duplicated services while the commissions share office space, the Elections Commission and Ethics Commission agree to share the services of several employees to perform tasks/services for both commissions. The shared employees will be employees of the Elections Commission and provide services to the Ethics Commission. Elections Commission shared staff will complete bi-weekly timesheets outlining tasks/services they have completed for the Ethics Commission pursuant to this agreement.

III. TERM OF AGREEMENT

This MOU shall remain in effect until December 31, 2018, unless the agreement is amended, terminated or extended in accordance with the procedures set forth in Section VI. of this agreement.

IV. SHARED EMPLOYEE TASKS AND SERVICES

A. RECEPTION STAFF

The office space occupied by the Elections Commission and Ethics Commission shall utilize the same reception area and assigned staff member to complete the following tasks (this is not an exhaustive list):

1. Greet the public, elected officials, media and other customers of either commission, and assist them or direct them to the appropriate staff member
2. Answer all phone calls received at the reception desk for either commission
3. Receive and sign for packages and other deliveries for either commission
4. Process and sort mail, faxes and inter-departmental mail for either commission
5. Assist in copying and preparing materials for meetings of either commission
6. Assist in making arrangements for official state travel of staff members and commission members
7. Assist with outgoing shipping/mailing, copy/fax machine issues, onsite public record inspections and other administrative tasks as assigned by the administrator of either commission

The Elections Commission Office Operations Associate assigned as the receptionist shall be the shared reception staff member utilized by both commissions. The shared reception staff member shall track his or her time in accordance with the procedures set forth in Section V. of this agreement.

B. BUDGET/FINANCIAL STAFF

The budget and financial staff of the Elections Commission shall be utilized by both commissions. The shared staff members include the individuals holding the positions of Chief Administrative Officer (or successor title), Accountant and/or Financial Specialist. The shared budget/finance staff shall complete the following tasks for both commissions when necessary (this is not an exhaustive list):

1. GAAP & CAFR reporting
2. General ledger reconciliation
3. HAVA Interest reallocation
4. FVAP Reimbursement requests
5. Pay Invoices
6. Quarterly budget reports
7. General Services Bill processing
8. Federal financial reports
9. Filing of financial documents
10. Monitor payroll
11. Process deposits
12. FMC meetings
13. Create and maintain operational budget
14. Interest payment reporting
15. Risk management reporting
16. Monitor timesheet compliance

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17. Approve fiscal transactions
18. Review payroll reports
19. Monitor Control-D
20. Reconcile payroll and travel balance sheets
21. FCM Reconciliations
22. Budget to actual reports
23. Payroll adjusting entries
24. Track and report IT costs
25. Re-class Lobbying server costs
26. Bank account certification
27. Report on prompt payment
28. Update internal controls plan
29. Property insurance valuation
30. Grant schedule monitoring
31. Follow up on EDC9 receivables
32. Form 78 certifications
33. Monitor STAR for exceptions
34. FFATA Reporting
35. All other budget or financial tasks as assigned by either commission's Administrator

The Elections Commission shared budget/financial staff members shall track his or her time in accordance with the procedures set forth in Section V. of this agreement.

C. PROCUREMENT STAFF

The procurement staff of the Elections Commission shall be utilized by both commissions. The shared staff members include the individuals holding the positions of Chief Administrative Officer (or successor title), Accountant and/or Financial Specialist. The shared procurement staff shall complete the following tasks for both commissions when necessary (this is not an exhaustive list):

1. Process requisitions
2. P-card reconciliation
3. Process travel vouchers
4. MBE Reporting
5. Monitor purchase order balances
6. 1099 Reporting
7. Make travel arrangements
8. All other procurement related tasks as assigned by either commission's Administrator

The Elections Commission shared procurement staff member shall track his or her time in accordance with the procedures set forth in Section V. of this agreement.

D. PERSONNEL STAFF

The personnel staff of the Elections Commission shall be utilized by both commissions. The shared staff member will be the individual holding the position of Chief Administrative Officer (or successor title). The shared personnel staff member shall complete the following tasks for both commissions when necessary (this is not an exhaustive list):

1. Prepare and maintain staff position descriptions
2. Work with the Department of Administration to post job postings for vacant staff positions
3. Staff contact for personnel related questions
4. Schedule and assist in conducting interviews of prospective employees
5. All other personnel related tasks as assigned by either commission's Administrator

The Elections Commission shared personnel staff member shall track his or her time in accordance with the procedures set forth in Section V. of this agreement.

V. SHARED EMPLOYEE TIME-KEEPING

The Elections Commission employees designated as shared staff members under Section IV. of this agreement, shall keep bi-weekly timesheets accounting for time spent on Ethics Commission tasks and projects rounded to the nearest ¼ hour. The completed, employee-signed timesheet shall be submitted to both the shared employee's supervisor and the Ethics Commission Administrator on a bi-weekly basis for review. If both the shared employee's supervisor and the Ethics Commission Administrator are in agreement as to the time charged to a specific task, both shall sign the timesheet and forward it to the budget/financial staff. If a question or objection is raised by either the shared employee's supervisor or the Ethics Commission Administrator, the shared employee may be required to provide documentation or a demonstration of the tasks performed to justify the time charged on the timesheet. The budget/financial staff shall make quarterly adjustments to ensure the appropriate commission's budget is charged based on the timesheets signed by the employee, the employee's supervisor and the Ethics Commission Administrator.

VI. TERMINATION, AMENDMENT OR RENEWAL OF AGREEMENT

A. Termination: This agreement may be terminated by mutual written agreement between the Elections Commission Administrator and the Ethics Commission Administrator. The party wishing to terminate this agreement shall provide sixty (60 days) written notice to the other respective party, stating their intent to terminate the agreement. If no mutual written agreement between the respective parties can be reached, this MOU remains in effect unless an order to amend the agreement is entered by a court of law.

B. Amendment: This agreement may be amended by mutual written agreement between the Elections Commission Administrator and the Ethics Commission Administrator.

The agency wishing to amend this agreement shall provide sixty (60) days written notice to the other respective party and provide any proposed amendment language. If no mutual written agreement between the respective parties can be reached, this MOU remains in effect unless an order to amend the agreement is entered by a court of law.

C. Renewal: This agreement may be renewed should the current lease be extended beyond December 31, 2018, and the Elections Commission and Ethics Commission choose to continuing sharing staff members while located in the same office space. Any renewal of this agreement would require written approval by the Elections Commission Administrator and the Ethics Commission Administrator. If no mutual written agreement to renew this agreement is reached, it expires on December 31, 2018, per Section III. of this agreement.

VII. AGREEMENT CONTACTS

Elections Commission: The contact person for this agreement within the Elections Commission is _____, Elections Commission Administrator.

[Insert email address and phone number]

Ethics Commission: The contact person for this agreement within the Ethics Commission is _____, Ethics Commission Administrator.

[Insert email address and phone number]

Should either of the contacts for each commission no longer be available to act in that role for this agreement, a new contact shall be determined by the respective commission as soon as practicable and such information shall be communicated with the other commission in writing within 10 days of the change.

VIII. EFFECTIVE DATE

This agreement shall be effective on the date in which the last signature of the authorized representative of the Elections Commission or the Ethics Commission is obtained on the attached Shared Staffing Agreement Signature Page.

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MEMORANDUM OF UNDERSTANDING BETWEEN

THE WISCONSIN ELECTIONS COMMISSION

AND

THE WISCONSIN ETHICS COMMISSION

SHARED STAFFING AGREEMENT – RECEPTION, BUDGET/FINANCIAL, PROCUREMENT AND PERSONNEL

SIGNATURE PAGE

SIGNATURES:

For the Wisconsin Elections Commission

By: _____

[Insert Printed Name and Title]

Dated this _____ day of _____, 2016

For the Wisconsin Ethics Commission

By: _____

[Insert Printed Name and Title]

Dated this _____ day of _____, 2016

Effective: Date of last signature above.

DRAFT

Wisconsin Elections Commission

212 East Washington Avenue, 3rd Floor
Post Office Box 7984
Madison, WI 53707-7984
(608) 261-2028
elections@wi.gov
elections.wi.gov

Administrator Michael Haas

COMMISSIONERS

Beverly R. Gill
Julie M. Glancey
Ann S. Jacobs
Steve King
Don Millis
Mark L. Thomsen

MEMORANDUM

DATE: For the Meeting of June 30, 2016 Meeting

TO: Members, Elections Commission

FROM: Michael Haas
Commission Interim Administrator

SUBJECT: Future Meeting Schedule

The Elections Commission has broad discretion in determining the time and place of its meetings. Then Commission's enabling legislation created a directive in Wis. Stat. § 15.06(5) which states as follows:

> **(5)** FREQUENCY OF MEETINGS; PLACE. Every commission shall meet on the call of the chairperson or a majority of its members. Every commission shall maintain its offices in Madison, but may meet or hold hearings at such other locations as will best serve the citizens of this state. The elections commission and the ethics commission shall meet in person at least 4 times each year and shall conduct meetings in accordance with accepted parliamentary procedure.

The Commission must meet in person at least four times each calendar year. In the opinion of staff, an in-person meeting does not preclude individual Commissioners from appearing by telephone if necessary, provided that some Commissioner are present in person and the public is able to also attend in person.

The Government Accountability Board typically scheduled six to eight regular meetings per year, and attempted to schedule those meetings by the fall of the previous year, in order to enable Board members to coordinate meetings with their travel and work plans. It would be helpful to set meeting dates for at least the remainder of 2016 at the June 30, 2016 Commission meeting. As a starting point, I have attached a proposed meeting schedule for the remainder of 2016. It lists proposed meeting dates in bold type. The list includes three suggested meetings, which are placed in the context of other events on the agency calendar.

I have also listed a proposed date for a January 2017 meeting or teleconference meeting, which is necessary to certify candidates for the Spring Election ballot. The schedule proposes meeting on Tuesdays based upon the past experiences of the Government Accountability Board. Monday meetings present preparation challenges for staff and Board Members

expressed a preference for Tuesday meetings. The proposed meeting schedule is also designed to fit in with other agency tasks, including election events and filing deadlines. There is flexibility to schedule special meetings if required.

In some cases, depending on the number and/or complexity of the issues, the Commission may consider holding short teleconference calls between in-person meetings. Also, the Commission may wish to consider holding some of its meetings in venues other than Madison. I anticipate that we would propose a meeting schedule for the remainder of 2017 at the next Commission meeting.

Proposed Motion: The Elections Commission adopts the proposed meeting schedule for the remainder of 2016 and the first Commission meeting of 2017, except as modified by the Commission's discussion.

Elections Commission
Proposed 2016 Meeting Dates

Tuesday, August 30, 2016
Tuesday, October 18, 2016
Tuesday, December 13, 2016

July 2016

No Meeting Proposed

August 2016

Tuesday, August 9, 2016 – Partisan Primary Election

Tuesday, August 30, 2016 - Proposed Elections Commission Meeting

September 2016

No Meeting Proposed

Thursday, September 15, 2016 – Agency Budget Due to Department of Administration

October2016

Tuesday, October 4, 2016 – Presidential Electors Nominating Convention

Tuesday, October 18, 2016 - Proposed Elections Commission Meeting

November 2016

No Meeting Proposed

***Tuesday, November 8, 2016* – Presidential and General Election**

December 2016

Thursday, December 1, 2016 –Deadline for Certifying Presidential and General Election Results

Thursday, December 1, 2016 – First Day to Circulate Nomination Papers for Spring Elections

Tuesday, December 13, 2016 Proposed Elections Commission Meeting

Monday, December 19, 2016 – Meeting of Presidential Electors

January 2017

Tuesday, January 3, 2017– Nomination Paper Filing Deadline for Spring Election

Friday, January 6, 2017 – Deadline for Filing Ballot Access Challenges for Spring Elections

Tuesday, January 10, 2017 - Proposed Elections Commission Meeting – Teleconference Meeting

Tuesday, January 10, 2017 – Deadline for certifying candidates for spring primary election ballot

Wisconsin Elections Commission

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Administrator Michael Haas

COMMISSIONERS

Beverly R. Gill
Julie M. Glancey
Ann S. Jacobs
Steve King
Don Millis
Mark L. Thomsen

MEMORANDUM

DATE: For the Meeting of June 30, 2016

TO: Members, Elections Commission

FROM: Michael Haas
Commission Interim Administrator

Prepared and Presented by:
Reid Magney, Public Information Officer

SUBJECT: Voter Photo ID Public Information Campaign

On June 13, 2016, the Joint Committee on Finance (JCF) unanimously approved a request from the Government Accountability Board to transfer $250,000 in General Purpose Revenue funds from the Committee's supplemental appropriation [§ 20.865(4)(a)] to the Wisconsin Elections Commission's GPR general operations appropriation [§ 20.511 (1)(a)] in order to implement a Voter Photo ID Public Information Campaign before the November 8, 2016 General Election.

The "Bring It to the Ballot" multi-media campaign which the Legislature funded is ready to go. However, as requested by the G.A.B., the JCF left it up to the Commission to decide the details of how and where the campaign will be deployed. This memorandum provides background information about the campaign, discusses deployment options and makes recommendations for the Commission, and asks for approval of contracts for managing the campaign.

Background

On June 9, 2011, 2011 Assembly Bill 7 related to requiring photo identification in order to vote, and making other election administration changes, was published as 2011 Wisconsin Act 23. The voter identification law specifically required the G.A.B. to conduct a public informational campaign for the purpose of informing prospective voters of the voter identification requirements in conjunction with the first regularly scheduled primary and general election at which the voter identification requirements initially apply. 2011 Wisconsin Act 23, Section 144 (1). The legislation also directed that the G.A.B. engage in outreach to identify and contact groups of electors who may need assistance in obtaining or

renewing an acceptable form of photo ID and to provide assistance to electors in obtaining or renewing that document. 2011 Wisconsin Act 23, Section 95.

Under the 2011-13 biennial budget act (2011 Wisconsin Act 27), the Legislature provided G.A.B. $1,965,200 in 2011-12, and 5.0 two-year project positions to the Board's GPR biennial general program operations appropriation to implement the provisions of 2011 Act 23. The funding and positions were intended to be utilized for public outreach and information, modification of the Statewide Voter Registration System, training of election officials, support of the Board's Help Desk, and the revision of election forms and materials. Of that initial appropriation, the G.A.B. spent $631,899 in FY-12 and $89,648 in FY-13, for a total of $721,547.

Due to the relatively short period between passage of Act 23 and implementation of the photo ID requirement in February 2012, the G.A.B. did not have time to conduct a full request-for-proposals process to hire an advertising agency to develop the public information campaign. Instead, staff identified several advertising agencies already under contract with state agencies that would permit the G.A.B. to “piggy-back” on their existing contracts.

After viewing advertising agency presentations, the G.A.B. hired the advertising firm Knupp, Watson & Wallman, Inc. of Madison (KW2), which has an ongoing state contract with the Department of Health Services for its tobacco control campaign. KW2 has also developed campaigns for the Department of Transportation and the Wisconsin Attorney General (Fly Effect anti-heroin campaign).

Working with G.A.B. staff, KW2 developed, produced and deployed the original public information multi-media campaign, known as “Bring It to the Ballot,” in 2011, at a cost of $181,041 in FY-12. Representatives of KW2 will attend the Commission’s meeting and make a brief presentation of the campaign.

The main goal of the Bring It campaign is to make sure that all Wisconsin voters are aware of the photo ID requirement so those who do not have an acceptable ID can get one in time for the election. However, because the law is complex (many different acceptable IDs and some important exceptions) most details cannot be covered in a brief TV or radio ad. Thus, a secondary goal of the campaign is encourage people to learn more about the law in order to avoid problems at the polling place on Election Day. Every voter who shows up without an ID or with the wrong ID makes more work for election officials and makes the lines longer for other voters.

The campaign has many components. It primarily consists of eight television and six radio public service announcements in 15 and 30 second durations. There are also digital ads, printed media and billboards. These PSAs and ads are designed to drive viewers and listeners to visit a website (www.BringIt.wi.gov) or call a toll-free number (866-VOTE-WIS), where they can get additional, detailed information about the photo ID requirement to vote. Resources on the website include several animated instructional videos (two to three minutes) about how to get a free state ID for voting, what to expect at the polling

place, photo ID requirements for absentee voting with exceptions for permanent absentee voters, and photo ID polling place procedures (intended for election workers).

Within the campaign, the messages are divided between awareness and how-to information. The *awareness message* is that an acceptable photo ID is now required to vote in Wisconsin and that viewers should tell their family and friends to "bring it to the ballot." The *how-to message* is that you probably already have the photo ID you need to vote, but if you do not have an acceptable photo ID, you can get one for free from the Division of Motor Vehicles. Two of the radio ads are in Spanish.

At the start of the campaign in 2012, the main vehicle the G.A.B. used to distribute these TV and radio ads was a Department of Administration contract with the Wisconsin Broadcasters Association that state agencies use to distribute and air public service announcements. The contract requires WBA to provide state agencies with regular reports about how often stations broadcast the public service announcements. In addition, the TV and other short videos are available on the Bring It website, as well as the YouTube.com and Vimeo.com video-sharing websites.

The campaign launched in early January of 2012, and ran through the February 2012 Spring Primary before multiple legal challenges resulted in permanent injunctions, starting in March of 2012 that forced the G.A.B. to cease implementation of the law. This included pulling the Bring It to the Ballot campaign off the air, disabling the website, and withdrawing other ads (bus placards, outdoor billboards, etc.). With the photo ID requirement on hold, unspent funds from the appropriation lapsed back to the state at the end of the biennium.

In 2014, the *how-to messages* of the campaign were modified to reflect a new Division of Motor Vehicles petition process to assist people having difficulty locating their birth certificates and other documentation necessary to get a free state ID card.

The lawsuits challenging the photo ID requirement made their way through the courts before the United States Supreme Court declined to hear the case in March 2015, leaving in place a 7th Circuit Court of Appeals decision that found Wisconsin's voter ID requirement to be constitutional. The Wisconsin Attorney General advised G.A.B. not to implement the photo ID requirement for the April 2015 Spring Election because there would not be enough time to train election workers and educate the public about the requirement.

The G.A.B.'s 2015-2017 biennial budget request, submitted September 15, 2014, did not include funds for voter ID education because at the time of its submission, the 7th Circuit Court of Appeals had not made its ruling lifting the district court's injunction. In early FY-16, the G.A.B. spent $19,637 updating the Bring It to the Ballot campaign and website to make it more compatible with mobile devices. Recently, the G.A.B. contracted with KW2 to modify the campaign's branding and message at a cost of $26,810. The branding now reflects the change in sponsorship from the G.A.B. to the Wisconsin Elections

Commission. The message change now reflects that veterans' ID cards are an acceptable form of photo ID. These changes were paid for from existing G.A.B. funds.

Supplemental Funding

Based on a request from the G.A.B., the JCF approved the following motion at its June 13, 2016 meeting:

> Moved by Representative C. Taylor and seconded by Representative Knudson to approve a one-time transfer of $250,000 GPR from the Committees appropriation under s. 20.865(4)(a) to the Elections Commission's general program operations; general purpose revenue appropriation under s. 20.510(1)(a) in fiscal year 2016-17 to implement a public information campaign regarding current law photo identification requirements. In addition, provide that the Elections Commission may determine the specifics of how to implement a public information campaign, including engaging 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 providing assistance to electors in obtaining or renewing that document, as it deems appropriate.
>
> Ayes, 15; Noes, 0; Absent, 1

The motion approved by JCF includes language related to outreach activities, which is something that has been done and will continue to be done by Commission staff. The G.A.B. established a speakers' bureau in 2011 and prepared training materials for organizations that work with groups of people who are likely to need assistance in obtaining or renewing an ID for voting. Because we do not have staff resources to send someone to every group that wishes to learn about the voter ID law, the G.A.B. developed a strategy of focusing on organizations that can train their members to do outreach work. In addition to providing in-person speakers, staff also prepared a PowerPoint presentation and video that can be shown to any group, even without a personal appearance by a staff member.

The Bring It to the Ballot public education campaign is just part of the Commission's efforts to educate the public about the voter ID law. Information about the ID requirement has been integrated into all the training materials for clerk and poll worker education, as well as all general voter education materials. Additionally, other local government entities will be conducting their own educational campaigns using local resources.

2016 Spring Election Public Information Campaign

Absent funding for a paid media campaign, the G.A.B. relaunched the Bring It campaign on February 1, 2016, by holding a news conference and issuing news releases about the photo ID requirement. This effort relied largely on an "earned" media – news coverage resulting from our contacts with reporters. With the gracious assistance of the Wisconsin Broadcasters Association, G.A.B. staff distributed TV and radio PSAs from the Bring It to the Ballot campaign to all WBA member stations. WBA did not charge the G.A.B. for

distribution of the ads; but without payment, the ads did not have priority and the G.A.B. did not receive reports of when the ads aired.

At the February 16 Spring Primary and the April 5 Spring Election and Presidential Preference Primary, a number of problems with voter photo ID were reported, suggesting the need for a comprehensive public education campaign prior to the August 9 Partisan Primary and the November 8 General Election.

At the February primary there were 567,038 ballots cast, for a turnout of approximately 12.75 percent of the voting age population of 4.4 million residents. The G.A.B. received reports of 91 provisional ballots issued, of which 37 were rejected and 30 were counted. The G.A.B. received no data from clerks on the outcome of the remaining 24 provisional ballots.

Immediately after the Spring Primary (February 18 to 21), the Marquette Poll asked respondents a question designed to gauge public awareness of the photo ID requirement to vote.

31. So far as you know, will voters be required to present a government issued photo ID in order to vote in upcoming elections or will they not have to show a photo ID to vote?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Required to show photo ID	676	84.3	84.3	84.3
	Not required to show photo ID	79	9.8	9.8	94.1
	Don't know	47	5.9	5.9	100.0
	Refused	0	.0	.0	100.0
	Total	802	100.0	100.0	

While 84.3 percent of respondents knew correctly that a photo ID would be required to vote, 15.7 was either wrong about or did not know whether a photo ID is required. For more information about the poll, visit https://law.marquette.edu/poll/results-data.

In April, as turnout surged to 47.5 percent (2,113,544 ballots in the presidential preference primary), the number of provisional ballots also grew significantly. Clerks reported 375 provisional ballots were issued, of which 258 were rejected and 108 were counted. Clerks have not reported the status of 9 provisional ballots. Anecdotally, the G.A.B. has received reports from voters without an acceptable photo ID who chose not to fill out a provisional ballot because they did not believe they would be able to obtain an ID by the Friday after the election.

2016 Fall Election Public Information Campaign Details

In November 2016, if past turnout trends for presidential elections continue, an additional 1 million voters will likely go to the polls in Wisconsin. With hotly-contested Presidential and U.S. Senate contests on the ballot, it will be extremely challenging for the Bring It to the Ballot campaign to break through the crowded political media environment in the months immediately preceding the election. Between a barrage of campaign advertising dominating the airwaves and some people tuning out because of the political advertising, we will have to find creative ways to reach potential voters.

At the G.A.B.'s request, KW2 developed two options for a targeted campaign to raise general awareness of the identification requirement and reach out to groups of electors who may need assistance in obtaining an acceptable photo ID, consistent with 2011 Wisconsin Act 23. These identified populations include students, people of low socio-economic status, and minorities. In addition, the campaign would target the voting age population of Wisconsin. The campaign includes online and offline media tactics. One of the main elements of the campaign is the 15 and 30 second public service announcements (PSAs) which can run on traditional television and radio stations, as well as online video and audio websites and applications.

Both options make use of the existing state contract with the Wisconsin Broadcasters Association (WBA) through its Non Commercial Sustaining Announcement/Public Education Program (NCSA/PEP). Under this program, state agencies are able to have their PSAs air on WBA member TV and radio stations at a cost of $6,000 per week. While the WBA is not able to guarantee specific airtimes or frequencies, the G.A.B. and other state agencies that have used this contract have found it to be a good deal for taxpayers because it returns approximately $4 in value for every $1 spent. More information about the program is available at http://www.wi-broadcasters.org/ncsa-pep/.

The campaign plans are timed to reach target audiences this summer and early fall, giving people without an acceptable photo ID adequate time to take action and acquire a free state ID card from the Division of Motor Vehicles. The campaign is also timed to start early, recognizing that the traditional and online media landscape will be flooded with political advertising after Labor Day. During those final two months, market rates for paid advertising will be extremely high. KW2 believes that the voter ID PSAs stand a strong chance of getting lost amid a flood of political ads, especially on TV and radio, or of getting bumped from the airwaves by other advertising buys.

Campaign Options

Option One includes:

- 18 weeks (July through early November) of radio and TV PSAs at $108,000
- Two months of online display ads on desktop and mobile devices at $48,075
- Three months of online video ads on YouTube and other sites at $93,925

Option Two includes:

- Eight weeks of radio and TV PSAs (July and August) at $48,000
- Two months of online display ads on desktop and mobile devices (reduced from option 1) at $38,675
- Three months of online video ads on YouTube and other sites (same as option 1) at $93,925
- One month Cinema pre-show advertising at $27,675
- One month interior bus ads in Madison and Milwaukee at $14,100
- Two to three months of in-feed sponsored posts on Facebook at $27,625

The key difference between the two campaign options is the length of time for radio and TV PSAs. For additional details of the campaign, see the attached memorandum from KW2.

KW2 developed its recommendations based on media usage by the targets, cost-efficiency, ability to target key populations and expected impact. The three targeted audiences are much more likely than the general population to rely heavily on a smartphone as their primary internet device, and to take public transportation. The campaign will be live July through October (dependent on tactic/budget) to allow voters time to get a free state ID card (if needed).

KW2 believes that Option Two provides the best mix of cost-effective TV and radio exposure in July and August (before the airwaves are flooded with campaign ads) and other guaranteed media placement designed to reach targeted audiences as well as Wisconsin voters in general.

The staff of the Elections Commission is in agreement with KW2's preference for Option Two, and recommends the Commission approve that option.

Campaign Options Not Recommended

Some members of the Joint Committee on Finance initially suggested that the $250,000 could be spent on a mailing directly to voters who do not have an acceptable photo ID. One of the challenges with that approach is accurately identifying who does not have a photo ID. Staff has identified a list of individuals on the statewide voter list who have not voted in the two 2016 elections when photo ID was in effect; however, identifying which of them do not have an acceptable photo ID is much more difficult. This is because many individuals in the system who registered before 2006 have no driver license or state ID card information on file. For those who do have that information, the system does not know whether that driver license or ID card expired before the November 2014 General Election, making it unacceptable for photo ID purposes under the law.

In addition, it is likely that a significant number of people who vote in November will register for the first time (or after moving to a new address) in the months and weeks immediately before the election, or on Election Day. Any direct mail communication

targeted at registered voters who have not voted so far in 2016 would miss these voters entirely. Finally, at the outset of planning for the public information campaign, and in preparation for the JCF meeting, staff attempted to estimate the cost of a one-time mailing to targeted individuals who may benefit from receiving information about the photo ID requirement. Apart from the difficulty in identifying that population, staff has concluded that it is cost-prohibitive considering the amount of the authorized funding, and the limited impact a single mailing is likely to have on those electors.

Wisconsin recently joined the Electronic Registration Information Center (ERIC), a non-profit organization dedicated to assisting states improve the accuracy of America's voter rolls and increase access to voter registration for all eligible citizens. As part of that initiative, the Commission will be sending a mailing to more than 1 million individuals who appear to be eligible electors but who are not registered voters after the August Partisan Primary and before October 1, 2016. Staff is exploring the possibility of including voter ID law information in this mailing, which would support the effort to contact groups of electors who may need assistance in obtaining or renewing an acceptable form of photo ID and to provide assistance to electors in obtaining or renewing that documentation.

Commission staff and KW2 also considered including advertising in various other media such as newspapers and magazines, outdoor billboards, cable TV, etc. While $250,000 is a significant amount of money, it will only go so far for a statewide campaign in this election year media market. KW2 made its recommendations based on its expert opinion of the market and where the Commission can get the most value for its limited budget.

Recommended Motions

Staff recommends the Wisconsin Elections Commission approve two motions to authorize staff to carry out the Bring It to the Ballot public education campaign for the Fall Election Cycle. KW2 does not contract with the WBA, so staff will need authorization for a separate contract.

1. Authorize the Administrator to enter into a contract for voter ID public education campaign advertising with Knupp, Watson & Wallman, Inc. (KW2) in the amount of $202,000 for Option Two, as outlined in KW2's proposal of April 25, 2016.

2. Authorize the Administrator to enter into a contract with the Wisconsin Broadcasters Association (WBA) in the amount of $48,000 for eight weeks of paid public service announcements through its Non Commercial Sustaining Announcement/Public Education Program (NCSA/PEP) to air in July and August 2016.

Knupp & Watson & Wallman
Creative Communications Company

To: GAB
From: Jackie Pecquex
Date: 04/25/16
Re: Voter ID Media Proposal

GAB Voter ID Media Plan Estimates

Overview:

- This document provides the topline recommended media plan for the GAB Voter ID 2016 campaign.
- All numbers provided are non-negotiated estimates, pending availability once budget secured.

Campaign Objective:

- Increase awareness that an ID is now required to vote in the state of Wisconsin prior to the 2016 presidential election.

Campaign Timing:

- Key time periods include:
    - General Election – 11/8/16

Target Audience:

- Primary target: demographics less likely to have a valid voter ID or know about the voter ID law:
    - Students
    - Low-SES
    - Minority populations
- Secondary target: Adults living in Wisconsin

Recommended Tactics:

- WBA PSAs
    - Adults 18+
    - TV and Radio
- Digital
    - Targeting TBD pending proposals, general targeting will include:
        - Students (or A18-24)
        - Low-SES (targeting could include: no car ownership, lower HHI, Medicaid beneficiaries, pay-as-you-go carriers like Boost, Cricket, Virgin Mobile)
        - Minorities (targeting could include: neighborhoods that index higher for minorities)
    - Online display (desktop & mobile), Facebook in-feed ads (moderation of comments required, option 2 only), online video (YouTube or other video ad network)
    - Note: Networks/tactics subject to change pending additional audience research
- Out of Home (option 2 only)
    - Interior bus advertising to reach lower-income voters and students in Madison and Milwaukee.
    - Timing will be farther out from election to ensure these public transportation users have adequate time to arrange travel to receive an ID.
- Cinema advertising (option 2 only)
    - Pre-show cinema advertising statewide (excluding theaters already purchased in Milwaukee)
    - Four weeks of coverage, tentatively September.

Strategy:

- Maximize budget by prioritizing targets less likely to have awareness of voter ID law and those less likely to have a valid photo ID
- Prioritize cost-efficient digital media that allows for tighter targeting to priority populations
    - Mobile advertising: younger adults, low-SES and non-whites are much more reliant on smartphones for online access than the general population (Pew Research)
    - Online video: In 2015, users spent nearly 11% of their media time with online video (traditional TV clocked in at 36%). People spend more time with digital video than with social media (eMarketer)
    - Paid social (option 2 only): 72% of adult internet users use Facebook (62% of total adult population). It is widely used across most major demographics, income levels, population densities and education levels (Pew Research)
- Add transit ads to reach lower-income, minority populations and students more dependent on public transportation in Madison and Milwaukee (option 2 only)
    - Madison Metro riders are over 2x more likely to be non-white, compared to the Dane county population. Riders also indexed higher for making under $25,000 HHI compared to the City of Madison.
    - Similarly in Milwaukee, 59 percent of riders are non-white, while 35 percent of the county's population is non-white. Around three quarters of riders make under $28,000 annually.
- Prioritize video – the combination of sight, sound, motion make for more memorable advertising. KW2 recommends online video (both options) and cinema advertising (option 2 only)
    - Minorities index higher for cinema attendance, as do 18-24 year-olds (MPAA)
- Flight media to generate impressions in actionable time periods – recommend media in-market July-October (pending budget options)

Option 1

- WBA PSAs will run for 18 weeks, July-November.
- Online display (desktop & mobile) will run August – September.
- Online video will run approximately July – September.

Option 1 Budget:

Tactic	Budget
WBA PSAs	$ 108,000.00
Cinema	$ -
Out-of-Home	$ -
Online Display	$ 48,075.00
Facebook	$ -
Online Video	$ 93,925.00
Total	$ 250,000.00

Client authorization _____ Date _____

Agency acceptance _____ Date _____

Fifty percent of the estimate (including outside costs) is due at signing. The remaining balance will be incrementally billed while the job is in progress.

This cost is an estimate, based on the agency's understanding of the project at this point. As the project is developed, there may be revisions which will require an update to the estimate. There is a standard +/- 10% variance with all estimates. If the costs should exceed the 10% variance, the client will be notified before further action is taken.

Option 2

- WBA PSAs will run for 8 weeks, July-August.
    - In a heavy political advertising window, WBA PSAs are much more likely to get neglected in favor of paying advertisers. KW2 recommends running these only through August, prior to when we expect political advertising to increase.
- Online display (desktop & mobile) will run August – September.
- Online video will run approximately July – September.
- Facebook ads will run approximately July – September.
- Out-of-Home interior bus ads will be in-market for four weeks prior to the general election.
- Cinema advertising will run for four weeks in September.

Option 2 Budget:

Tactic	Budget
WBA PSAs	$ 48,000.00
Cinema	$ 27,675.00
Out-of-Home	$ 14,100.00
Online Display	$ 38,675.00
Facebook	$ 27,625.00
Online Video	$ 93,925.00
Total	$ 250,000.00

_____ _____
Client authorization Date

_____ _____
Agency acceptance Date

Fifty percent of the estimate (including outside costs) is due at signing. The remaining balance will be incrementally billed while the job is in progress.

This cost is an estimate, based on the agency's understanding of the project at this point. As the project is developed, there may be revisions which will require an update to the estimate. There is a standard +/- 10% variance with all estimates. If the costs should exceed the 10% variance, the client will be notified before further action is taken.

State of Wisconsin \ Government Accountability Board

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JUDGE VICTOR MANIAN
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: June 15, 2016

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Michael Haas, Elections Division Administrator
Meagan McCord Wolfe, Voter Outreach Specialist

SUBJECT: MyVote Wisconsin Redesign Webinar and Manual

As the G.A.B. prepares for the launch of the redesigned MyVote Wisconsin website on June 22, 2016, we have developed MyVote resources for clerks. The attached webinar and manual have been designed to give clerks a preview of the system before the public launch of the website. Attached as part of this communication, please find a pre-recorded MyVote webinar along with a MyVote Manual. Below, please find additional information about the MyVote materials available for clerks.

MyVote Webinar

The attached webinar is intended to give clerks an introduction to the redesigned MyVote website. The site is still in the final development and testing phase, so some of the pages and the functionalities shown in the webinar have not yet been finalized. When viewing this webinar, please keep in mind that there are some changes that will be made prior to the MyVote launch on June 22.

The attached webinar covers all of the functionalities of the new MyVote website including:

- **Sample Ballot.** Voters will see what will be on their ballot for upcoming elections.

- **Polling Place Look-Up.** Voters will be able to find their polling place based on their voting address.

- **Military and Permanent Overseas Voters.** Military and permanent overseas voters will still be able to request and receive their absentee ballot online through MyVote.

- **Start the Registration Process.** Voters can again fill out a registration application that they will print, sign and deliver to their municipal clerk. A process known as “click and mail” that was previously available in MyVote until January 2016 will enable registration information to be pre-populated into WisVote. Voters in Wisconsin still cannot completely register to vote online. The legislative change allowing online voter registration will not be implemented

until January of 2017 and will be incorporated into MyVote at that time.

- **Voter Activity.** The voter activity functionality will allow a voter to see the status of their voter registration and a list of past elections that they have participated in. If the voter has an absentee ballot request on file, or an outstanding provisional ballot, they will also see the status of their ballot.

- **Elected Officials.** Voters will be able to see a list of their current elected officials.

- **Request an Absentee Ballot.** Regular voters will be able to fill out an absentee ballot request form on the MyVote website. The absentee ballot request will then be emailed to the municipal clerk who will process the request just like any other absentee ballot request they receive by email from a voter.

MyVote Manual

Also attached as part of this communication is a Manual that details the functionalities of the redesigned MyVote site. The Manual covers the following MyVote topics:

- **Pending Registrations in WisVote.** The click and mail functions that allow a voter to complete their registration application and submit it online has been restored with the redesign. A new process for handling the pending registration forms in WisVote is outlined in the Manual.

- **Assisting Voters.** The Manual provides step-by-step instructions for each of the functionalities of the site. There are many functionalities, such the process for military voters to receive an online ballot, that the clerk cannot see on MyVote. The step-by-step overviews in the manual will allow a clerk to assist voters with the functionalities that the clerk does not have access to.

- **MyVote/WisVote Connection.** MyVote is directly linked to WisVote. All of the information displayed on MyVote is pulled from the WisVote system. If information is entered incorrectly into WisVote it will display incorrectly on MyVote. The Manual provides an overview of the connection between the two systems to ensure that voters have access to quality data.

- **Notification/Forms.** The attached MyVote Manual also provides examples of the email notification that clerks will receive when a voter requests an absentee ballot. Also included in the Manual is a sample of the voter registration form that is generated by MyVote.

The webinar and manual are designed to be reference tools for clerks. The redesigned MyVote website will not change the daily process for clerks. There will be no additional training needed to handle the MyVote 2.0 redesign. The notifications clerks receive from MyVote will look a little different, but the process will remain the same.

We are very excited to launch the newly designed MyVote website to the public on June 22, 2016. The new design will help all voters find the information they need to vote in a way that is both usable and accessible. Thank you for taking the time to view these materials. Please contact the G.A.B. at GAB@wi.gov with any questions about the launch of the redesigned MyVote website.

32nd Annual
National Conference
Philadelphia, PA

2016 Professional Practices Program
Connecting Voters to Their Information Through Usability

State of Wisconsin Government Accountability Board

Submitted by:

Kevin J. Kennedy
Director and General Counsel

Meagan McCord Wolfe
Voter Services

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Connecting Voters With Their Information Through Usability

In 2012, the State of Wisconsin Government Accountability Board (G.A.B.) launched the voter information site MyVote.wi.gov. The MyVote Wisconsin website is the voter facing portal into the Wisconsin Statewide Voter Registration System known as WisVote, and was developed with a competitive grant awarded through the Federal Voting Assistance Program. Through the MyVote website, voters have access to a wealth of voting related information including: polling place look up, sample ballot, absentee and provisional tracking, online facilitated registration and absentee requests, voter participation history, and more. MyVote Wisconsin is also a ballot delivery tool for military and permanent overseas voters. Connecting voters to their personalized information is a vital service that election administration agencies provide. However, if the services are not usable, then the voter is unable to connect with their information in a meaningful way. To ensure voters are connecting to their information in a way that facilitates their participation in the voting process, the Wisconsin Government Accountability Board embarked on a yearlong usability study of the website to examine what was important to voters when using the MyVote website. Data collected from the usability study was used to redesign the website in order to best connect voters to the information they need to cast their ballot.

First Phase- Testing the Usability of the Original MyVote Website

To begin the website usability process, the G.A.B. consulted with Dana Chisnell from the Center for Civic Design. The usability process began with Dana training the G.A.B. staff how to conduct usability studies. The first step of the process involved identifying goals for the website redesign. The overarching goals were to identify the information voters were looking for on the website and to ensure that voters left the website having accomplished what came to the website to accomplish.

The next step was to recruit nearly 40 participants to be a part of the usability study. The participants were then shown the MyVote webiste and were asked a number of questions related to the site including, "what is the purpose of this website?" and "what do you think you can accomplish on this website?" The participants were also asked to perform a number of tasks on the website, including finding their polling place and viewing a sample ballot. G.A.B. staff then observed the participants use of the site. G.A.B. staff collected detailed data about what worked well on the site and what needed improvement. (See Attachment A)

Second Phase- Evaluating User Data from the Usability Study of the Original Webpage

After observing over 40 participants use the MyVote Wisconsin website to accomplish a variety of election tasks, the next step was to compile the data that was collected. Trends in the data quickly emerged. Most all of the participants experienced the same issues when visiting the website. Some of the main usability issues that were identified for improvement include:

-**Homepage Navigation.** The original version of the MyVote homepage asked the user to first select their voter type. It then asked the voter to enter their name or address. This winnowing occurred before the site explained what services it could offer to the voter. The original website was designed with this layout because it worked well for querying information from the statewide voter registration system. However, the data from the usability study made it very clear that users wanted to first select the task they wished to accomplish and then provide their information. Participants were comfortable providing their information as long as they understood why it was required and how it would help them accomplish their goal. (See Attachment B)

-Information about Voting. The original version of MyVote Wisconsin included an "Information About Voting" section that was available in the main navigation of every page. This menu option was purely informational. It was designed to be a catch-all of useful voter information. Instead, participants either became stuck in a loop when accessing this information or became confused about how to get back to their original task. Feedback from voters included "I don't know what to do here" and "This doesn't help me accomplish anything, so I'm leaving." (See Attachment C)

-Specific Tasks. An unexpected lesson that was learned from the usability study was that voters think in terms of specific tasks. For example, the original site had the option to "register to vote." From an election administration perspective, this is where a voter should go on the site whether they are a first time voter or a voter who is already registered and needs to change their name or address. However, voters saw a name or address change as a very distinctive task from registering to vote. Similar concerns were addressed throughout the site. The participants wanted each specific task available on the homepage, even

though from an Election Administration standpoint, some of the tasks would create the same end result. Comments from the study participants included, "I want to know I am on the correct path to accomplishing what I came to the website to do."

Third Phase- Paper prototyping. Addressing the Concerns Learned from the Usability Study

Based on the data collected in the usability study, the next step was to address the concerns by developing a paper prototype of the new website. Paper prototyping was a collaborative process in which the team sketched a redesign of the website to address the concerns discovered in the usability study. The idea behind paper prototyping is that very little time and resources are dedicated to the initial concepts. This keeps the design process dynamic and makes it easier to make changes without feeling locked into a website design. The first round of MyVote paper prototyping was done with pencils on paper. The process involved developing a concept for each task on the website and then narrowing in on the concept by comparing the new designs to the data collected from participants. Once a concept was developed, a very small usability study was conducted using the first round of paper prototypes to be sure it was matching the voters' expectations (See Attachment D).

After data was collected from participants on the first round of paper prototypes, the data was evaluated to see if the changes to the paper prototypes addressed the issues on the original MyVote website. After the redesign, all 98 pages of the second version of the computer generated paper prototype were assembled in a binder (See Attachment E), and another round of usability study was conducted. The participants were asked to page through the paper prototype as if they were using the website on a browser. Many of the questions and tasks from the original usability study were again asked of the participants. Data was collected from the paper prototype usability session and compared to the data from the original usability session. By comparing the data, it became clear that many of the concerns identified in the original study had been addressed with the redesign. This same process was followed when conducting a third and final round of paper prototype testing (See Attachment F).

Fourth Phase- Wire Framing and Development

The next step was to hire a design firm to refine the paper prototype concepts, staying true to the prototype the G.A.B. developed as well as the usability data that was collected. The design firm constructed wireframes based on the paper prototype (See Attachment G). Design decisions were based on data; allowing data to guide the process was an effective way to facilitate the development process without getting stuck on matters of opinion. Using the prototype ensured that the design stayed true to the voters' needs. After the ad agency refined the prototype, a smaller scale usability study was conducted to make sure that the new layout and design concepts still worked for users. After this final round of testing, the design firm made final tweaks to the design to complete the usability process (See Attachment H).

The final design addresses the issues identified in the usability study by doing the following:

-Homepage Navigation- The redesigned homepage brings the tasks that voters can accomplish to the forefront of the homepage. Once the voter has selected a task, the site then explains to the voter why they are being asked to enter their name or address.

-Information About Voting- This usability trap was addressed by providing voters with functional information they need in the relevant sections of the website. For example, there are customized reminders and information in the left hand side of each screen that gives voters information such as the deadlines to register or information about the photo ID law. The information is also functional and links the voter to something they can do.

-Specific Tasks- Finally, all the tasks that voters are visiting the site to accomplish are displayed prominently on the homepage, even if the end result is duplicative. In the final round of testing, voters felt they were in control of their experience on the website and were able to accomplish the task that brought them to the website.

Final Phase- Continued Usability

With the launch of the redesigned site, the G.A.B. continues its commitment to website usability. There will be additional usability studies conducted on the completed, redesigned site to continue to make improvements. The MyVote Wisconsin website is the main source for election information in Wisconsin. It contains all the information voters need to participate in the election process. A continued focus on usability will ensure that all Wisconsin voters can connect to the voting information they need leading up to the November 2016 Presidential Election and into the future. As an added bonus, the usability analysis skills learned by the staff have informed its approach to other agency initiatives.

Attachment A

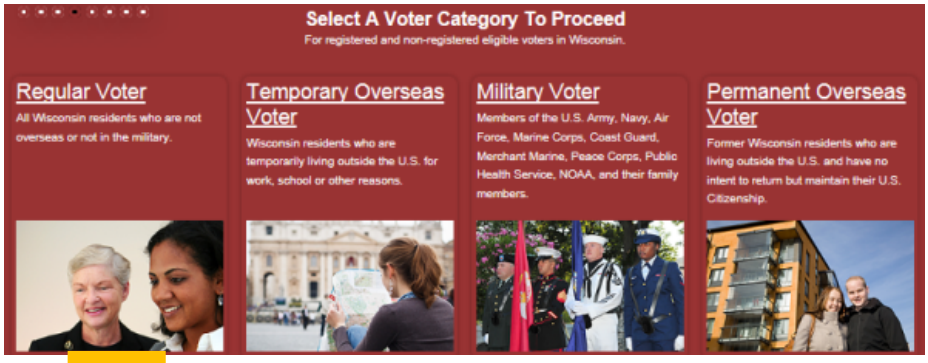
Homepage of the Original MyVote Wisconsin Website

This is the original version of the MyVote Wisconsin website. Before any of the voter tasks were made available, the voter needed to first select their voter type.

"Where do I Vote" Functionality of the Original MyVote Wisconsin Website

On the original version of the MyVote Wisconsin website, the second step was for a voter to enter their name or address. Once the voter entered their information they would see menu options customized to their name or address.

Attachment B



Example of the homepage navigation issue of the original version of MyVote Wisconsin.

On the homepage of the original version of the MyVote website, voters were first asked to select their voter type.

The voter was then asked to enter either their name or their address before they could proceed to see what services the website offered.

Attachment C

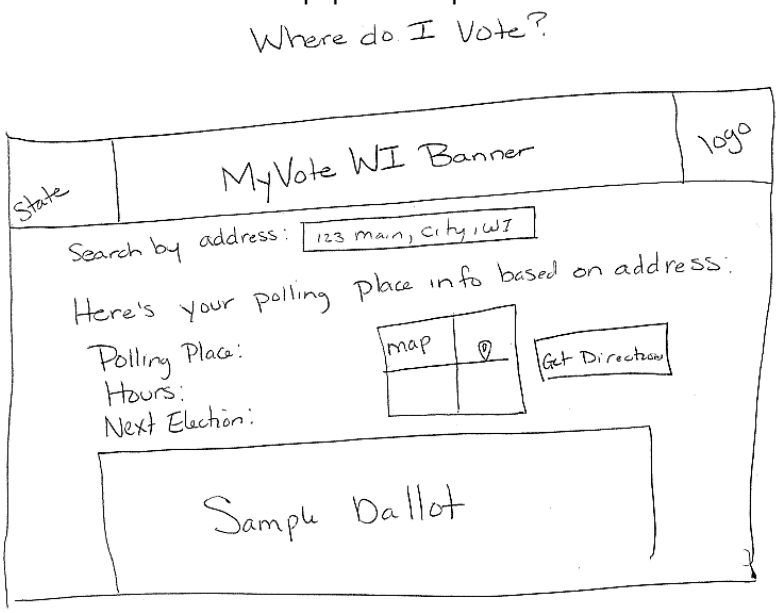
Example of the "Information About Voting" Usability Problem with the Original Version of MyVote Wisconsin.

Another issue that was discovered through the usability study was the use of an "Information About Voting" menu option. This menu option was part of the main navigation of all subpages. The information in this menu option was not functional and voters often became stuck here and were unsure how to complete the task they came to the website to accomplish.

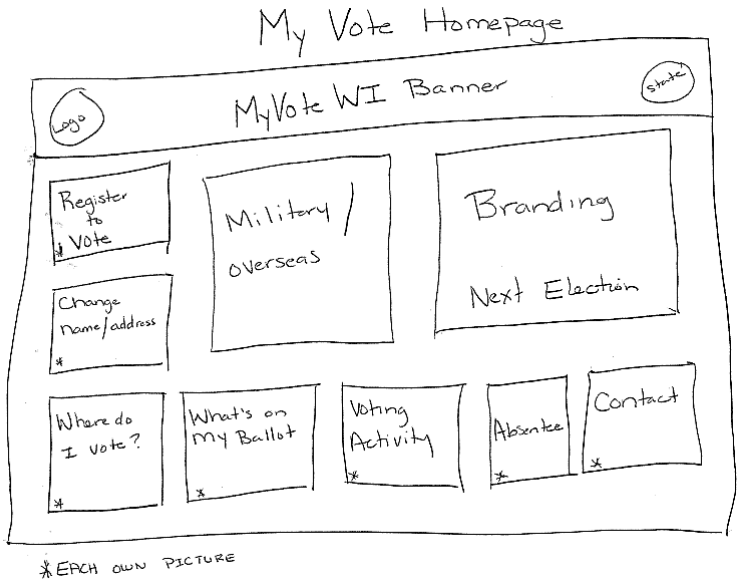
Attachment D

First Round of Paper Prototyping

While redesigning the MyVote Wisconsin website to address concerns discovered during usability testing, the first step was to develop design concepts to make the site more usable. The first phase of prototyping was done using a piece of paper and a pencil to limit the amount of resources spent on a dynamic concept.



First round paper prototype of the MyVote Wisconsin Homepage concept

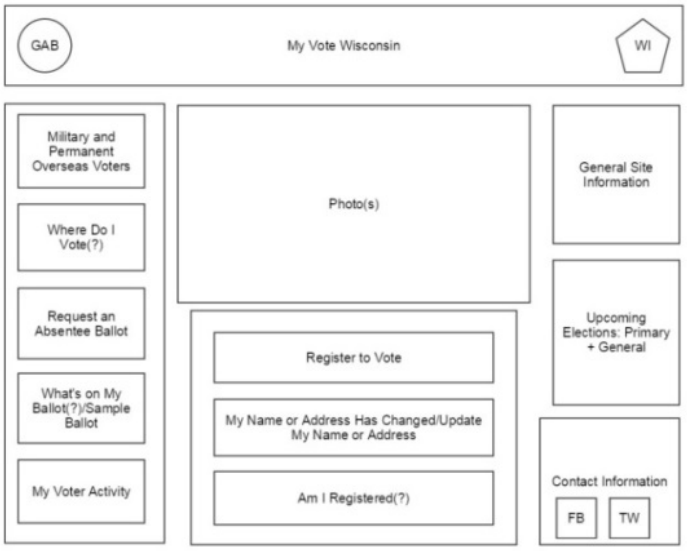


First round paper prototype of the MyVote Wisconsin "Where do I Vote?" concept

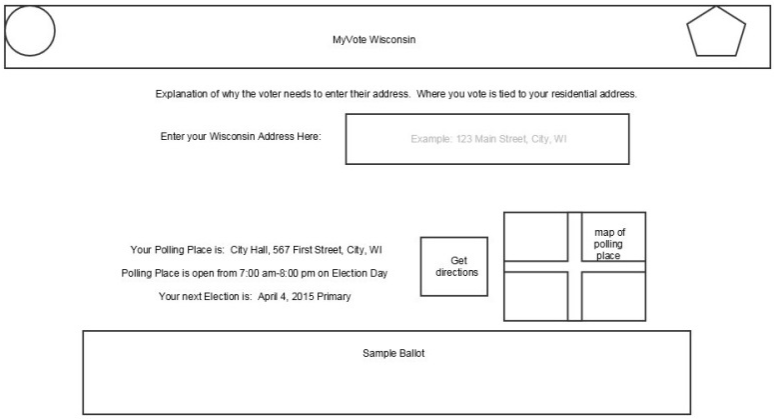
Attachment E

Second Round of Paper Prototyping

Once the first round of paper prototypes were tested using a small pool of usability study participants, the prototypes were redesigned to address issues with the first round design. The second round of prototyping was done using free, online prototyping software.



Second round paper prototype of the MyVote Wisconsin Homepage concept



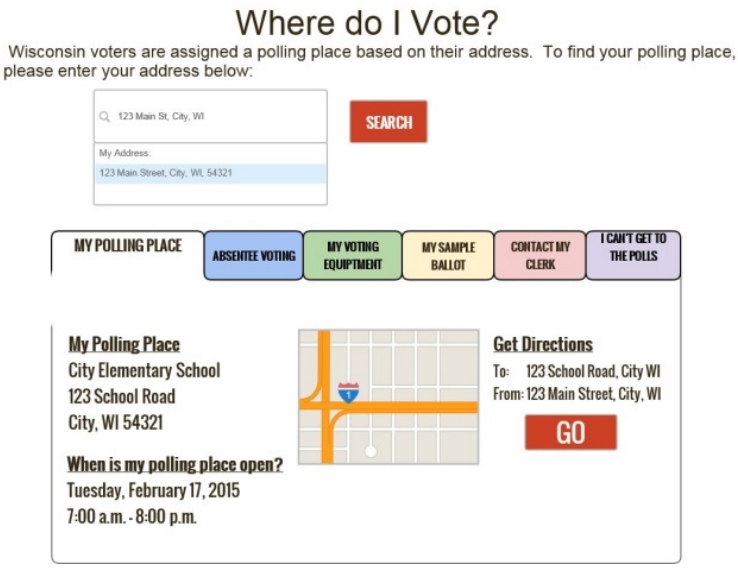
Second round paper prototype of the MyVote Wisconsin "Where do I Vote?" concept

Attachment F

Third Round of Paper Prototyping

A small usability study was conducted on the third round of paper prototypes. The third round of paper prototypes were designed to address the concerns found in the second round of prototype usability testing.

Third round paper prototype of the MyVote Wisconsin Homepage concept

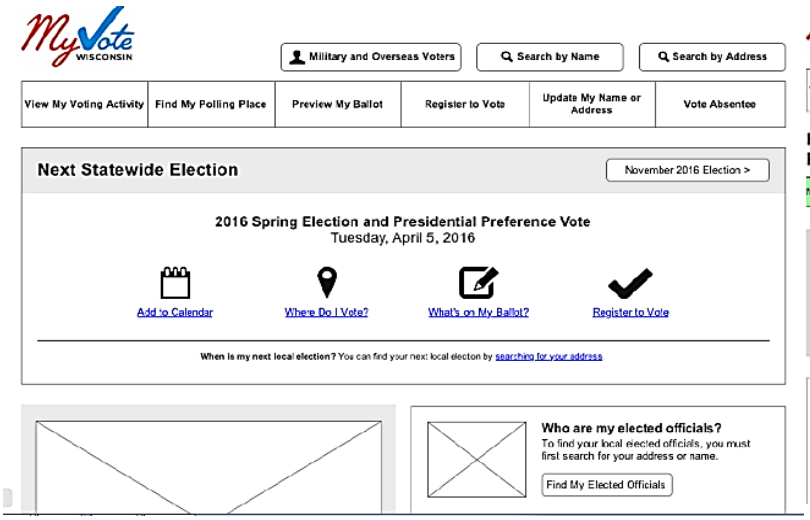


Third round paper prototype of the MyVote Wisconsin "Where do I Vote?" concept

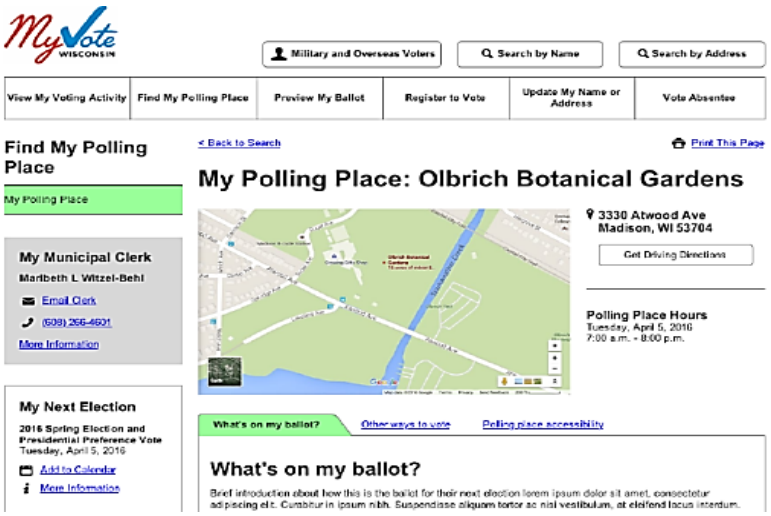
Attachment G

First Round Wireframing

Once the paper prototype had been refined to address any concerns discovered through the course of the usability studies, The G.A.B. hired a design firm who refined the prototype into clickable wireframes. The wireframes are a polished version of the paper prototype developed by the G.A.B.



Wireframe of the MyVote Wisconsin Homepage concept

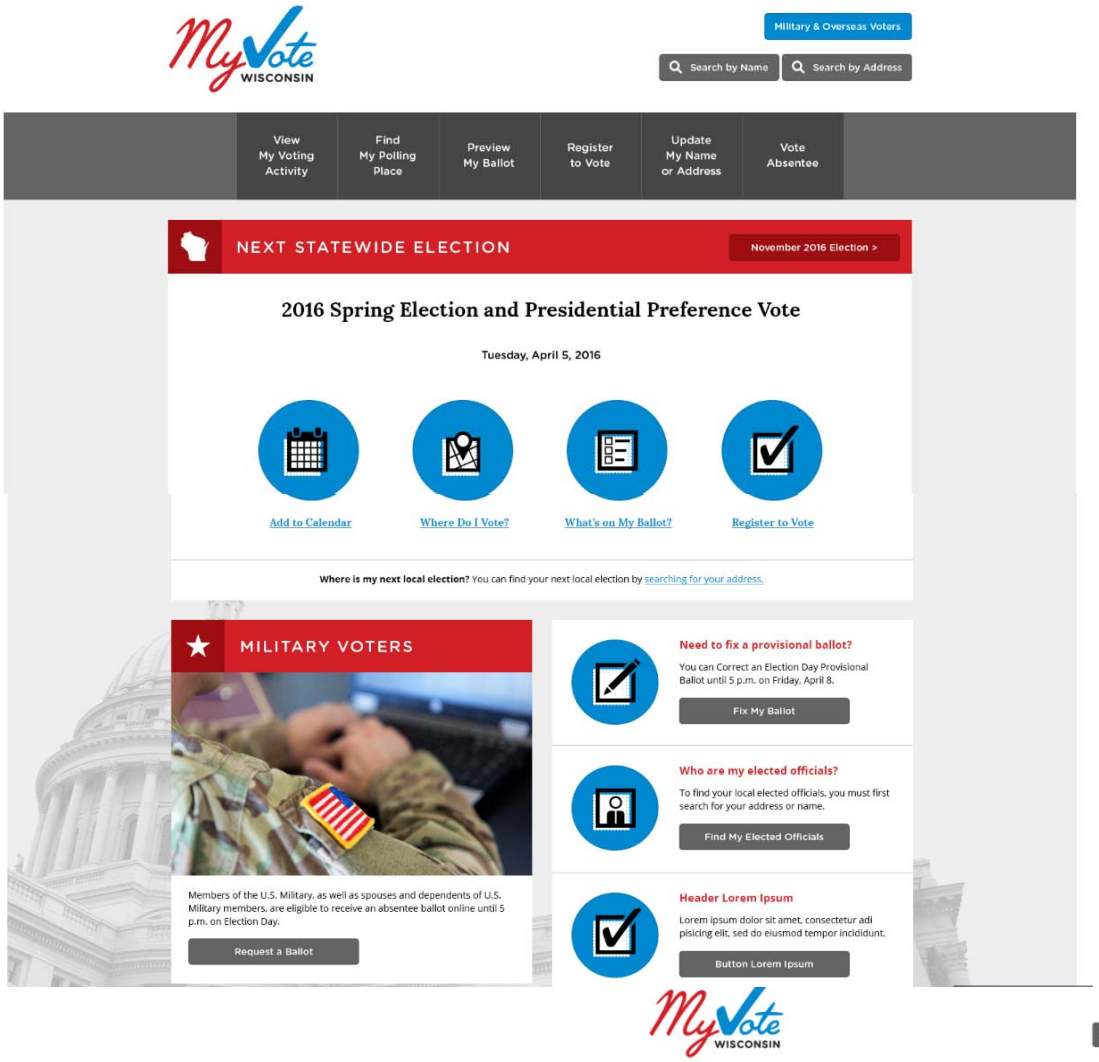


Wireframe of the MyVote Wisconsin "Where do I Vote?" concept

Attachment H

Final Version of the MyVote Wisconsin Homepage

This is the final product of the usability studies, paper prototyping and wire framing. The final version of the MyVote website addresses the issues discovered through the studies and allows voters to connect with their information in a usable way.

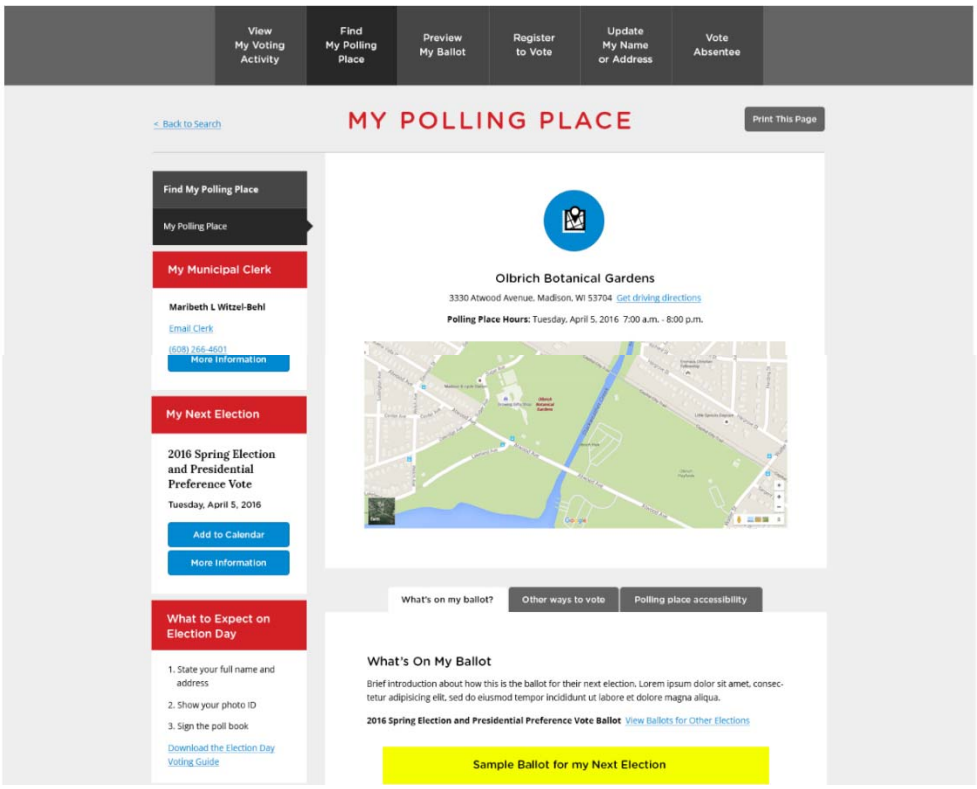


Final MyVote Homepage

The final design concept of the MyVote Wisconsin Homepage

Final "Where do I Vote" Page

The final design concept of the MyVote Wisconsin "Where do I Vote?" concept



Wisconsin Elections Commission

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Administrator Michael Haas

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MEMORANDUM

DATE: For the June 30, 2016 Meeting

TO: Members, Wisconsin Elections Commission

FROM: Michael Haas
Commission Interim Administrator

Prepared and Presented by:

Allison Coakley
Training Coordinator

SUBJECT: Election Administration Training for the 2016 Elections

Wisconsin's election partners are numerous – 72 county clerks and 1.854 municipal clerks, poll workers (known as election inspectors), election registration officials, special registration deputies, greeters and canvass board members – and are entrusted with the responsibility of conducting open, fair and transparent elections. The Wisconsin Elections Commission (WEC) has developed an education and training plan in preparation for the remaining 2016 elections, focusing on recent legislative changes in election law procedures, while reinforcing the fundamentals of election administration, including the reinstatement of Wisconsin's Photo ID Law last year.

We continue to utilize technology to increase our training reach and provide local election officials with timely information and election law updates. The WEC has been employing a webinar training platform to conduct training sessions, host teleconferences and develop educational modules that can be attended live, recorded, and posted on the agency's website for clerks and other local election officials to access and use on-demand. A disc of the webcasts may also be ordered for a small fee to cover processing costs.

Each webinar generally focuses on a particular topic and is about one hour in length. This structure allows us to cover a topic in greater depth and maximize the time local election officials have available to spend on training. For example, the first webinar in the new 2016-2017 Election Administration Training series, *Preparing for the August Election*, will review procedures unique to this election, such as counting votes in a partisan primary. The second webinar of the series, *New Clerk Orientation*, will introduce new county and municipal clerks

to our agency, outline training requirements and resources, and provide website information together with an overview of our communications protocol.

For the last six years, Commission staff has trained and certified experienced and qualified county and municipal clerks to conduct Baseline Chief Inspector and Municipal Clerk Core training classes across the state. The reinstatement of the clerk-trainer program has generated a positive response from clerks and their election inspectors as training can be delivered locally and at a lower cost. Some clerks are even willing to travel to other municipalities and counties to provide these initial training certification classes. Commission staff handles all of the logistics for the classes and supplies the materials. Depending on interest from the clerks, we plan to recruit additional clerks to conduct Baseline Chief Inspector training for new chief inspectors after the August Partisan Primary.

We are in the process of updating our general use manuals to reflect new laws approved by the Legislature this year as well as the reorganization of the Government Accountability Board and the relaunch of the Statewide Voter Registration System (SVRS) as WisVote.

Commission staff also regularly attends a variety of clerk conferences and district meetings throughout the year to give presentations on the Photo ID Law, election administration updates, and WisVote status reports, and to solicit input from county and municipal clerks on current election and voting issues. Conference and district meeting attendance can range from 50 for a district meeting to 500 for an annual conference. Commission staff has attended or is scheduled to attend the following meetings this year and additional appearance requests are expected prior to the November General Election:

- Wisconsin Municipal Clerks Association District 7 Meeting, January 15, 2016, Black Creek, 50 attendees;
- Wisconsin County Clerks Association Spring Conference, March 8, 2016, Madison, 55 attendees;
- Wisconsin Municipal Clerks Association Northern Wisconsin Clerk Training Meeting, May 13, 2016, Minocqua, 175 attendees;
- Wisconsin Municipal Clerks Association District 3 Meeting, Black River Falls, May 19, 2016, 50 attendees;
- Wisconsin Municipal Clerks Association District 5 Meeting, Elkhorn, May 19, 2016, 130 attendees;
- Wisconsin County Clerks Association Summer Conference, June 28, 2016, Onalaska, 70 possible attendees;
- Wisconsin Municipal Clerks Association Summer Conference, August 21, 2016, Appleton, 500 possible attendees;
- Wisconsin Towns Association Annual Conference, October 22, 2016, Stevens Point, 500 possible attendees.

Commission staff is also developing a local assistance program which will identify municipalities expected to have especially high turnout elections in August and November or which may anticipate special challenges, as well as a sampling of municipalities of various population sizes. Staff will contact municipal clerks to review election readiness, offer technical

and training support and discuss any issues or concerns the clerk and his or her staff may have about the upcoming elections. The goal is to use our strong partnership with local clerks to develop a more direct and immediate perspective regarding issues which may be developing locally or trending statewide, and to ensure that clerks are aware of assistance which Commission staff can provide as Election Day approaches. Feedback from clerks can also be used to develop points of emphasis as we communicate with both clerks and voters statewide.

Training, ongoing education, technical and outreach services provided by the Wisconsin Elections Commission are key to supporting local partners and ensuring that they acquire the knowledge necessary to perform their election duties accurately and problem-free. We are committed to exploring methods of providing education, training and outreach opportunities that are effective, can be delivered at a reduced cost, will provide uniform instruction and training across the state, and incorporate continuous feedback and improvements.

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Administrator Michael Haas

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MEMORANDUM

DATE: For the Meeting of June 30, 2016 Meeting

TO: Members, Elections Commission

FROM: Michael Haas
Commission Interim Administrator

SUBJECT: Election Night Results Reporting

At its meeting of June 9, 2016, the Government Accountability Board discussed the application of recent legislation requiring that unofficial Election Night returns be transmitted from municipal clerks to county clerks, and that county clerks must post all returns within two hours of receipt. After reviewing feedback from local election officials, the Board tabled the matter so that it could be more fully considered by the Elections Commission.

Determining the application of the legislative directive to transmit and post "all" returns is more important for the administration of the spring elections than the fall elections, as the issue central issue is whether the directive applies to results of local contests, which will generally not appear on ballots for the fall elections. The Commission may, therefore, defer this matter to a future meeting. In the event the Commission wishes to revisit the issue at this meeting, it may refer to the attached excerpt from the June 9, 2016 staff memorandum outlining the factors to be considered.

Excerpt from Staff Memorandum of June 9, 2016 Regarding Implementation of 2015 Wisconsin Act 261

Finally, as Board staff advised at the April Board meeting, Act 261 does not specify whether or not the results posted by county clerks on Election Night must include local contests. For the 2016 Spring Election, G.A.B. staff advised that that decision was left to the judgment of municipal and county clerks, but the results must include at least state judicial contests and the Presidential Preference Primary. The relevant text of the Statutes now reads:

> 7.51(4)(c) On election night the municipalities shall report the returns, by ward or reporting unit, to the county clerk no later than 2 hours after the votes are tabulated.
>
> 7.60(1) KEEP OFFICE OPEN. On election night the county clerk shall keep the clerk's office open to receive reports from the ward inspectors and shall post all returns. On election night the clerk shall post all returns, by ward or reporting unit, on an Internet site maintained by the county no later than 2 hours after receiving the returns.

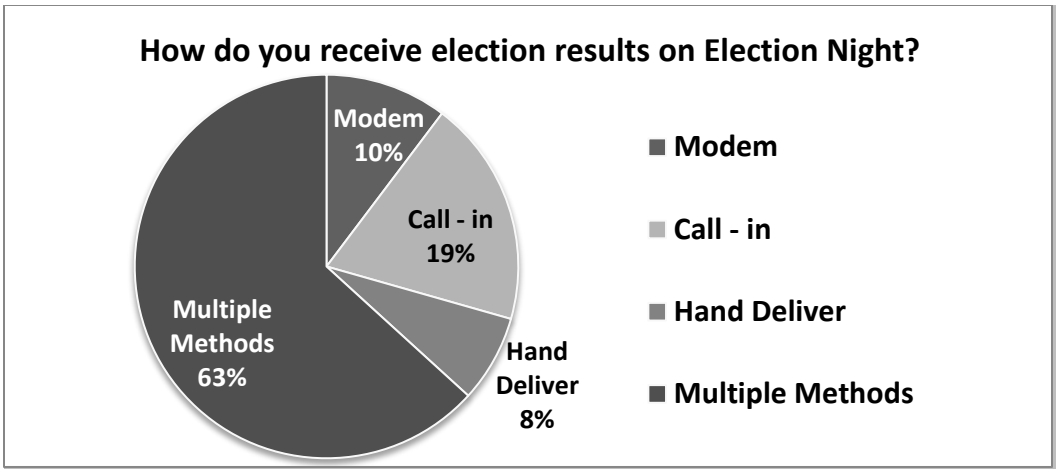
These provisions refer to "the returns" and posting "all returns," which were phrases that existed prior to the enactment of Act 261. The time limits imposed by Act 261 have focused more attention on the results which must be posted by the two-hour deadline. Given this language, Board staff originally recommended that the Board conclude that the Legislature had not provided any exception to the returns which municipal clerks must report to county clerks, and which county clerks must post on the Internet on Election Night.

At its April meeting, the Board received comments from municipal and county clerks indicating that, depending upon the type of voting equipment being used, it may be a significant change in practice to post results of local elections such as municipal and school district contests. The Board directed staff to seek additional input from local election officials in order to develop a more informed policy as to the unofficial results which are required to be posted by county clerks on Election Night.

Board staff conducted a survey of county clerks regarding the requirement that they post all unofficial returns on a county website within two hours of receiving the returns on Election Night.

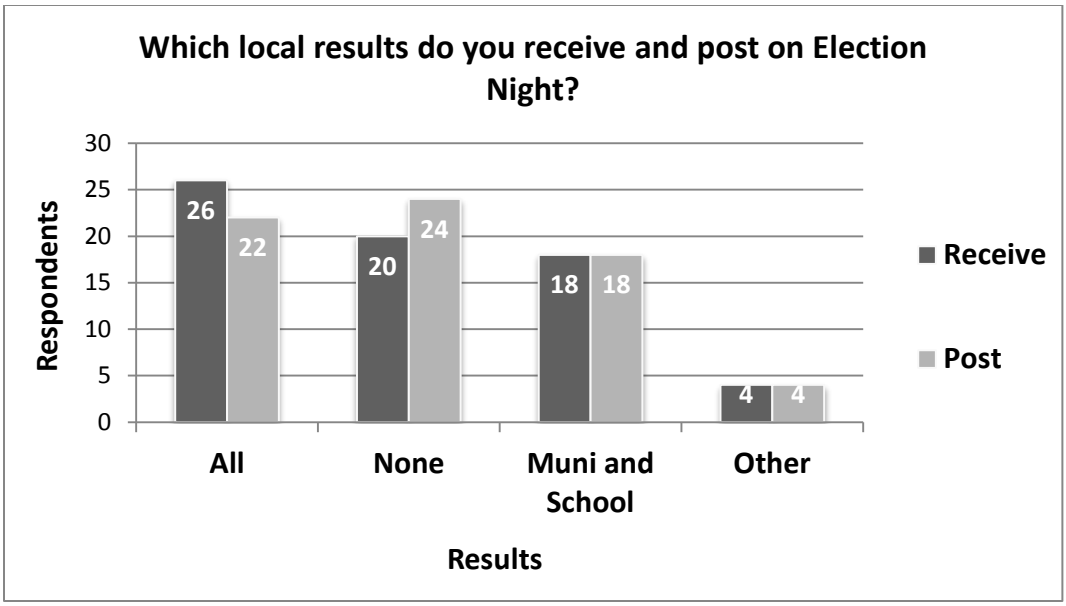
The G.A.B. received 68 total responses from county clerks in response to the survey (Burnett, Crawford, Jefferson and Ozaukee Counties did not respond). Wisconsin counties reported receiving results through a variety of methods from their municipalities on Election Night. Some counties have a uniform process for all municipalities, while other counties use a hybrid approach to receiving results. Thirteen counties, or 19 percent of all respondents, reported using call-in sheets as the only method results are reported to their office. The call-in process requires that results are telephoned into the

county office and dictated to county staff over the phone. The next most common method for counties who use a uniform process involved results that are modemed directly into the county election management system. Seven counties reported that they only receive modemed results on Election Night.

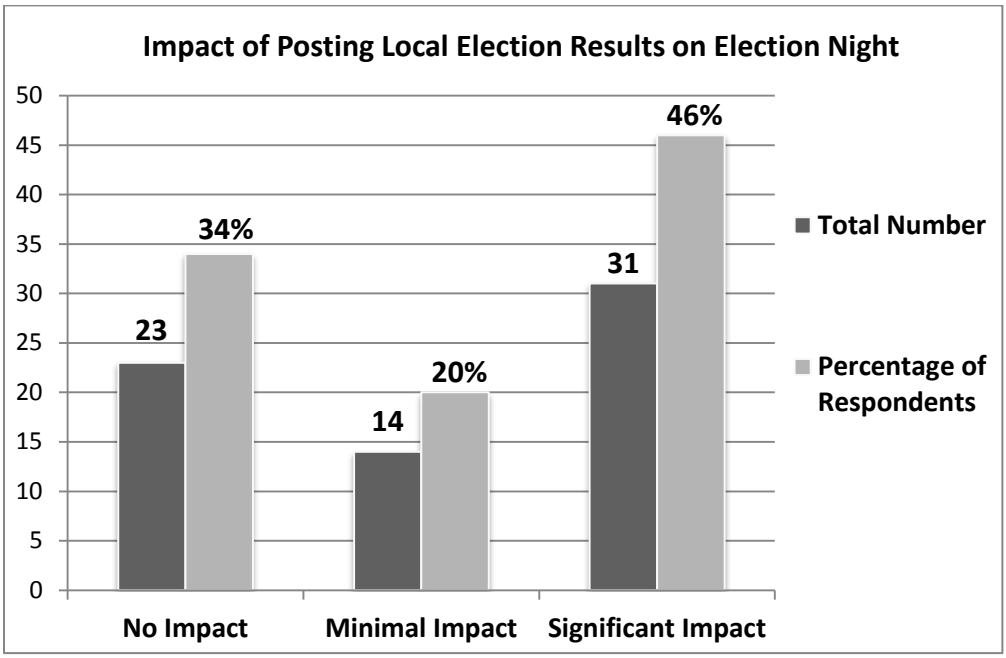


The vast majority of counties reported using multiple methods to receive election results from their municipalities. Forty-three respondents reported receiving results via multiple methods, with twenty-five counties using at least three methods. The lack of uniformity and the variety of combinations that counties use to receive and compile results on Election Night is representative of the decentralized system of election administration in Wisconsin. This variety also makes creating universal procedures challenging as technology, infrastructure and resource differences all impact the ability for county clerks to receive, compile and post comprehensive unofficial returns on Election Night.

A requirement to post all local election results by counties on Election Night would be complicated by the fact that nineteen counties reported that they do not currently receive local results on Election Night. Twenty-six counties receive all local election results, while an additional eighteen counties reported that they receive municipal and school district results, but not results for special district contests, such as sanitary and lake management districts. There are also several counties that receive all local election results but do not post them on Election Night.



When asked to describe the impact on Election Night procedures if local results were to be required to be posted, forty-five respondents stated this requirement would have some impact on them. Thirty-one counties indicated that posting these returns would significantly impact their Election Night procedures, while twenty-three counties identified no impact. The number of counties who reported no impact strongly correlates with the number of counties (22) who already post local results on Election Night.



Many of the counties who indicated that this requirement would have a significant impact on their Election Night procedures submitted narrative comments that provide additional insight on this issue. One county indicated that due to three voting equipment systems in

use in their county, ten school districts that cross county lines and twenty-five county supervisory districts, it is already difficult to post timely and accurate results on Election Night. Requiring the posting of school district results and local results would be even more burdensome. Other clerks indicated that posting results for contests below the county level would not be feasible given the volume of other work required on Election Night, limited staffing in county offices and the two-hour results posting timeline. Many clerks expressed that their staff is already overburdened on Election Night and highlighted concerns about problems caused by posting inaccurate results and results, such as school districts that cross county lines, which are potentially misleading to the media and general public.

As noted above, the requirement to post "all returns" predated Act 261. Due to practical obstacles, the reporting and posting of all returns has not been administered in a consistent manner at the local level. The new deadlines for reporting and posting unofficial returns on Election Night has highlighted the issue of whether returns for all local elections must be included in the information transmitted by municipalities and posted by counties, regardless of their past practice and any additional burdens it would create. Counties do not canvass results of municipal and school district elections and in many cases, requiring counties to receive and post those results would have a significant impact on their Election Night procedures.

While the phrase "all returns" can certainly be read to include returns for all local elections, Act 261 focused on the timing involved in reporting and posting results, and did not address whether the variety of existing practices across counties must change. Municipal and county clerks and their staffs are focused on numerous duties on Election Night and as an administrative priority, accuracy is more important than speed in posting unofficial results. Adding a requirement for counties to post local election results where the technology is not in place to easily do so on Election Night would risk creating errors elsewhere in their procedures.

In the opinion of Board staff, in light of the variety of tabulation equipment and process in use, and absent a more specific legislative directive to significantly alter past practices, the Board's administrative guidance should seek to achieve a practical and workable result for local election officials providing unofficial results on Election Night. Staff recommends that Wis. Stat. §§7.51 and 7.60 be administered to require that municipalities must report, and county clerks must post, at least the results for all federal, state and county-level contests within their jurisdictions. In addition, if the tabulating equipment generates a report including local contests which may be easily transmitted to the county, the unofficial results of those contests must also be reported and posted. This would include results for school districts or other districts which cross county boundaries. Total results for those contests would need to be accumulated from all of the counties involved, as are the results of state or federal contests which involve multiple counties.

> **Recommended Motion:** The Board advises that Wis. Stats. §§ 7.51(4)(c) and 7.60(1) require municipal clerks to report, and county clerks to post, at least the unofficial returns for federal, state, and county-level contests

within their jurisdiction on Election Night. In addition, if the tabulating equipment generates a report including local contests which may be easily transmitted to the county, the unofficial results of those contests must also be reported and posted.

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Mark L. Thomsen

MEMORANDUM

DATE: June 30, 2016 Meeting

TO: Members, Elections Commission

FROM: Michael Haas
Commission Interim Administrator

Prepared and Presented by:
Sharrie Hauge, Chief Administrative Officer

SUBJECT: Summary of the 2017 – 19 Biennial Budget Process

Commission staff has begun planning for the agency's 2017-19 Biennial Budget submission, which is due on September 15. The biennial budget process is designed to maintain the agency general program revenue (GPR) funded operations and federal spending authority for the biennium. The 2017-19 biennium begins on July 1, 2017 and runs through June 30, 2019. This memorandum provides an overview of the budget process and identifies several key decision points for the Commission's preliminary consideration.

Budget Process

In preparation, before the development of individual budget decision item requests can be made, several technical budget tasks need to be completed. Staff needs to ensure that agency program and appropriation structures that are defined in the budget system correctly reflect current law.

The first formal step in biennial budget development is to complete the base year reconciliation. All agency spending requests are built on (or are changes to) the adjusted base funding level. The goal of the base reconciliation is to obtain a level of funding and positions for each current law appropriation/program which is approximated by what is available as of June 30 in the second year of the biennium (see attached FY17 agency budget, which is the starting point for the biennial budget preparation). After the base budget reconciliation is completed, staff will complete a full salary and fringe benefit funding calculation under standard budget adjustments to determine salary and wage levels.

After the reconciliation process is complete the agency budget request decision items can be developed. There are several budget issues that staff would like to bring to the Commission's attention for possible inclusion in the 2017-19 request:

1. Request position authority to maintain the 22 currently federally funded FTE whose budgeted positions expire June 30, 2017.

2. Amend the Voter ID training appropriation to include all training of municipal and county clerks, not just for Photo ID training, as the requirements of the Photo ID Law are intertwined with other training related to voter registration, voting, and election responsibilities of clerks.

3. Include the cost for Commissioner per diems for the FY17-19 biennium.

4. Fund the Accessibility program with General Purpose Revenue funds after the federal program and funds sunset on August 31, 2016.

5. Develop an overtime budget to address cyclical increases in workloads.

Ordinarily, in mid-August staff receives the Major Budget Policies and Budget instructions to begin preparing the biennial budget request. Below is a task chart and internal timeline for preparing the request.

Task	**Due Date**
Titles Maintenance and Base Budget Reconciliation	August 15, 2016
Creation of the Adjusted Base	August 24, 2016
Agency Description	August 22, 2016
Agency Program Goals	August 29, 2016
Report on Agency Goals from last biennium	August 31, 2016
"DRAFT" Decision Item Narratives Due for Review	September 5, 2016
Review of "DRAFT" Decision Item Narratives Due	September 7, 2016
Mgmt. Team Finalize Budget Item Narratives (meet)	September 9, 2016
Finalized Decision Item Narratives Due	September 12, 2016
Formal Budget Requests Due	September 15, 2016

While no definite budget decisions are required at this time, staff will shortly commence development of the biennial budget. The Commission may wish to conduct preliminary consideration of overall budget objectives and the specific decision items identified above, and provide staff with any appropriate directions.

Attachment: 2017 Elections Commission Budget

Elections Commission Budget for FY17

									FY-17		Elections Commission FTE Positions
Program	Alpha	Numeric	Permanent Position Salaries	Project Position Salaries	LTE/Misc. Salaries	Fringe Benefits	Supplies and Service	Permanent Property			
GPR	a	101	729,000		29,800	297,000	878,300	4,800	1,938,900		9.75
Investigations	be	105					25,000		25,000		
Voter Id Trng	c	109					82,600		82,600		0.00
Mat & Service	h	121					7,700		7,700		0.00
Federal Aid, FVAP	m	140					195,700		195,700		0.00
Election Adm	t	160					100		100		9.75
HAVA	x	180	987,700	100		406,100	1,425,500		2,819,400		22.00
			729,000	0	29,800	297,000	1,189,400	4,800	**5,069,400**		

Wisconsin Elections Commission

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Steve King
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Mark L. Thomsen

MEMORANDUM

DATE: For the Meeting of June 30, 2016 Meeting

TO: Members, Elections Commission

FROM: Michael Haas
Commission Interim Administrator

SUBJECT: Future Agenda Items

This memorandum identifies issues and items the Commission may expect to or choose to include on future meeting agendas. Some items will require Commission action and others would be optional and primarily for the informational benefit of the Commission and the public. This list can serve as a starting point for Commission members to either suggest additional items, or to provide feedback as to whether and when the Commission would prefer to take up these matters. Future meetings will also include regular and cyclical business items of the Commission.

1. Maximum Number of Signatures for Nomination Papers
2. Procedures for Post-General Election Voting Equipment Audit
3. Review of Administrative Code
4. Observer Rules and Cameras at Polling Places
5. Line Management at Polling Places
6. Report on Compliance with Legislative Audit Bureau Recommendations
7. Summary of Voting Equipment Approval Process and Equipment Used in Wisconsin
8. Review of Election Opinions
9. ERIC Initiative and Procedures
10. Electronic Poll Book Development
11. Election Integrity Issues and Processes
12. Introduction to WisVote and Other IT Applications
13. Accessibility Audit Program
14. Local Election Official Advisory Committee
15. Procedures for Resolving Complaints Against Local Election Officials
16. Discussion of Investigation Statutes and Procedures
17. Legislative Agenda