

**Testimony of Kevin J. Kennedy  
Director and General Counsel  
Wisconsin Government Accountability Board**

**Assembly Committee on Campaigns and Elections**

**February 4, 2014**

**Room 412 East, State Capitol  
Public Hearing**

**Assembly Bills 689 and 690**

Chairperson Bernier and Committee Members:

Thank you for the opportunity to comment on the bills before you today. I am appearing here for information purposes and to answer any questions you or Committee members may have. The Government Accountability Board supports these bills.

**Assembly Bill 689**

This legislation transfers the responsibility for conducting the biennial voter registration list maintenance from local election officials to the Government Accountability Board (G.A.B.). The Board directed staff to work with the Legislature to develop this

legislation. We appreciate the support of Senator Lazich and Representative Bernier in helping craft and introduce the legislation.

Under the provisions of this bill, the G.A.B. will perform the biennial list maintenance by mailing a non-forwardable post card to any registered voter who has not cast a ballot in the preceding four years. This will occur after the nonpartisan Spring elections in odd-numbered years.

Currently, municipal clerks are required to carry out this responsibility. Because many municipalities did not do this list maintenance before the development of the Statewide Voter Registration System (SVRS) the G.A.B. conducted this process following the 2008, 2010 and 2012 elections. As result, the agency was able to develop cost-effective procedures and tools to ensure the maintenance tasks are completed.

A recent cost benefit analysis done by a group of graduate students at the University of Wisconsin-Madison La Follette School of Public Affairs found that the costs associated with municipalities conducting this task are prohibitive. *Voter List Maintenance in Wisconsin – A Cost Benefit Analysis December, 2013*. In 2005, the Legislative Audit Bureau found that there was a significant level of non-compliance with the list maintenance requirements among the 350 municipalities with voter registration. Legislative Audit Bureau – *An Evaluation: Voter Registration, September 2005*.

This legislation is designed to ensure that the SVRS list maintenance will be conducted efficiently and at considerable cost savings for taxpayers. The result will be a cleaner, more accurate voter registration list. The Government Accountability Board supports this legislation and urges the Committee to recommend passage in its current form.

## **Assembly Bill 690**

The G.A.B. supports this legislation. The bill reflects the fact that required registration and voting statistical reporting by local election officials to the G.A.B. is done through an electronic portal. Wisconsin has been nationally recognized for the quality of the election data it collects and publishes. The legislation adds a requirement to collect and report more detail on the post card verification process for Election Day registrants. It also directs posting the information on the agency website. This dovetails well with existing agency practices for posting voter registration data.

The bill also strengthens the collection of data related to referrals to district attorneys. The G.A.B. works closely with local election officials to ensure that when an election matter is referred to a district attorney it is thoroughly vetted. This provides district attorneys with better information. Of course this only works when the local election officials keep the G.A.B. in the loop. Current

law requires local election officials to inform the G.A.B. of any referral.

The legislation requires an annual report by the G.A.B. to the Legislature. This provides a point of reference to compare referrals over time. Currently, there is no uniform reporting of this information.

Last fall, on Halloween, I testified for information on the original Senate version of this bill. I pointed out a number of practical concerns related to the legislation. Since that time Senator Lazich and Representative Bernier have met with me and other G.A.B. staff to discuss practical ways of collecting the information as well as the timeline for reporting the information. In its current form, the legislation addresses the concerns raised by the G.A.B. We appreciate the efforts of Representative Bernier and Senator Lazich to work with the agency on this legislation.

## Conclusion

Thank you for the opportunity to share my thoughts with you. I hope this testimony will help inform the Legislature's consideration of these bills. As always, we are available to answer questions and work with you in developing proposed legislation.

Respectfully submitted,

A handwritten signature in black ink that reads "Kevin J. Kennedy". The signature is written in a cursive, flowing style.

Kevin J. Kennedy

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