

Meeting of the Board

Tuesday, January 14, 2014

9:00 A.M.

Agenda

Open Session

Teleconference Meeting

Government Accountability Board Offices

212 East Washington Avenue, Third Floor

Madison, Wisconsin

Tuesday, January 14, 2014

Page #

9:00 A.M.

- A. Call to Order**
- B. Director’s Report of Appropriate Meeting Notice**
- C. Minutes of December 17, 2013 Meeting** **3**
- D. Selection of Board Officers** **10**
- E. Delegation of Certain Authority to Director and General Counsel** **11**
- F. Personal Appearances**
(Note the Board will be hearing only from individuals with issues concerning ballot access for the 2014 Spring Elections)
- G. Election Administration - Ballot Access Report** **15**
- H. Report on Voting Equipment Audit and Ballot Review Issues** **31**
- I. 2013 Annual Reports Regarding Use of HAVA Funds** **34**
- J. Discussion of Per Diem Policy** **60**
- K. Director’s Report** **Oral**

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

L. Closed Session

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

The Government Accountability Board has scheduled its next meeting for Wednesday, March 19, 2014 at the Government Accountability Board offices, 212 East Washington Avenue, Third Floor in Madison, Wisconsin beginning at 9:00 a.m.

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

State of Wisconsin\Government Accountability Board

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JUDGE TIMOTHY L. VOCKE
Chair

KEVIN J. KENNEDY
Director and General Counsel

Wisconsin Government Accountability Board

212 East Washington Ave.
Madison, Wisconsin
December 17, 2013
9:00 a.m.

Open Session Minutes

<u>Summary of Significant Actions Taken</u>	<u>Page</u>
A. Accepted 2008-2012 Voting Equipment Audit Report	2
B. Heard Interim Report on Use of Electronic Poll Books	3
C. Approved Proposed Administrative Rule GAB 5	5

Present: Judge Timothy L. Vocke, Judge Gerald C. Nichol, Judge Michael Brennan, Judge Thomas H. Barland, Judge Harold Froehlich and Judge Elsa Lamelas

Staff present: Kevin Kennedy, Jonathan Becker, Michael Haas, Shane Falk, Nathan Judnic, Sharrie Hauge, Ross Hein, Sherri Ann Charleston, David Buerger, Brian Bell and Reid Magney

A. Call to Order

Judge Vocke called the meeting to order at 9:00 a.m. and introduced and welcomed the two new Board Members, Judge Harold Froehlich of Appleton and Judge Elsa Lamelas of Shorewood.

B. Director's Report of Appropriate Meeting Notice

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

C. Minutes of Previous Meetings

October 22, 2013 Meeting

November 19, 2013 New Board Member Briefing

MOTION: Approve the Open Session minutes of the meeting of October 22, 2013. Moved by Judge Barland, seconded by Judge Brennan. Because they had not yet been appointed to the Board, Judge Froehlich and Judge Lamelas abstained. Motion carried 40.

MOTION: Approve the Open Session minutes of the meetings of November 19, 2013. Moved by Judge Barland, seconded by Judge Brennan. Motion carried unanimously.

D. Personal Appearances from Members of the Public

Karen McKim of Waunakee appeared on behalf of the Wisconsin Grassroots Network Election Integrity Action Team to comment on agenda item E, the 2012 Voting Equipment Post-Election Audit. She said post-election audits are the most cost-effective method of ensuring accuracy of voting machines. She commended the section of the report dedicated to quality improvement, but said she would have liked to see the report include the evidence staff used in reaching its conclusions.

Jim Mueller of Verona appeared on behalf of Wisconsin Counts to discuss voting equipment audits. He said that because voting equipment has always been manufactured by private companies and people cannot look at the programming code, the way to verify its accuracy is to hand-count the ballots after the polls close and compare those results to the machine tabulations. He noted that in Humboldt County, California, voted ballots were scanned and made available on the Internet in an effort to improve election transparency.

E. 2012 Voting Equipment Post-Election Audit

Elections Division Administrator Michael Haas introduced Elections Specialist Sherri Ann Charleston and Elections Supervisor Ross Hein, who presented a verbal and written report located on page 13 of the December Board Meeting materials regarding post-election audits conducted in 2008, 2010 and 2012. Ms. Charleston said that despite most ballots being counted by 20-year-old equipment, the equipment continues to be accurate. She noted that the audit does not include ballots that were not properly marked by voters.

Judge Lamelas asked whether the auditing process disregards the intent of the voter because it only examines whether machines accurately count properly marked ballots. She asked whether going forward the audit could examine ballots the machine did not count.

Extended discussion regarding the purpose of the audit. Director Kennedy said it is to focus on the machines. Mr. Hein noted that in a close election, all ballots are examined to determine voter intent. Director Kennedy said that a county board of canvass has procedures to ensure that all ballots are counted, such as looking for discrepancies between the number of ballots processed and the number of voters.

MOTION: Accept the 2008-2012 Voting Equipment Audit Report starting on page 14 of the December Open Session Board Meeting materials. Moved by Judge Nichol, seconded by Judge Brennan. Motion carried unanimously.

Discussion regarding next steps for future audits. The Board requested that at the January meeting, staff present the Board with a list of issues identified by the Board which staff may be directed to examine and report on at subsequent meetings.

F. Interim Report on Use of Electronic Poll Books

Division Administrator Haas introduced Elections Specialist David Buerger, who is leading a staff team studying electronic poll books, which current statutes allow for use in registering and processing voters at the polling place. Mr. Buerger made a verbal and written presentation of materials starting on page 40 of the December Board Meeting materials. He said the Board has never had an electronic poll book system brought to it for approval, and noted that the state does not have the ability to compel municipalities to use them. Paper poll books serve as an eligibility check, a record of who voted, and an audit trail. Electronic poll books automate that process, and can also provide training and guidance materials to help poll workers through situations that may arise at the polls on Election Day. G.A.B. staff observed a pilot test of different commercially-available electronic poll book products in Minnesota in November.

Judge Brennan asked whether longtime poll workers would be receptive to electronic poll book technology. Mr. Buerger said anecdotal evidence is that while there is initial concern among users, they prefer electronic poll books once they get to use them. Judge Froehlich indicated that his preference would be for any required signatures to be completed on paper and not done electronically with a signature pad or other means.

Discussion regarding electronic poll book systems developed by the states of Iowa and Michigan versus commercially developed systems in use in other states.

Mr. Buerger said staff will present recommendations to the Board at its March 2014 meeting.

G. Approve Proposed Administrative Rule GAB Chapter 5 Ballot and Electronic Voting Equipment Security

Staff Counsel Shane Falk made a verbal and written presentation of materials starting on page 64 of the December Board Meeting materials regarding the proposed administrative rule GAB Chapter 5 related to the security of ballots and electronic voting equipment. The Board approved the Statement of Scope at its August 2013 meeting. Staff recommends the Board approve the rule so the promulgation process can continue. Two written comments about the rule have been received from Mary Ann Hanson, regarding whether the rule applied to central count, and from Paul Malischke, regarding inclusion of requirements for hardened systems for use with election management software. Mr. Falk said he assured Ms. Hanson the rule did apply to central count, specifically the security and documentation provisions for memory devices. Regarding voting system hardening, he said that the U.S. Election Assistance Commission requires the voting systems it certifies to run on hardened computer systems, and Wisconsin requires that systems be certified by the US-EAC, so adding a hardening requirement to the administrative rule would be redundant.

Discussion regarding the Board's prior efforts to promulgate GAB 5 in 2009 and the steps the Board took at the time to ensure the involvement of two important groups – clerks and election observers – in the rulemaking process. Mr. Falk said the Board listened to clerks' concerns about the specificity of the rule and adopted more general language in some places to allow for flexibility in cases where a municipality does not have acceptable on-site storage facilities for equipment and ballots.

MOTION: Approve the proposed administrative rule GAB 5, related to the security of ballots and electronic voting equipment starting on page 65 of the December Board Meeting materials, and direct staff to proceed with promulgation of the permanent rule. Moved by Judge Nichol, seconded by Judge Froehlich.

Further discussion of requirements for hardened computer systems and reasons not to include the requirement in the administrative rule because some counties are using legacy systems that are not hardened.

Judge Vocke called for a vote. Motion carried unanimously.

H. Report on Campaign Finance Audits and Forfeitures Collected

Ethics & Accountability Division Administrator Jonathan Becker and Campaign Finance Auditor/Ethics Specialist Adam Harvell presented a verbal and written report of materials starting on page 72 of the December Board Meeting materials regarding the 2013 Campaign Finance Audit and a summary of forfeitures collected during 2013. Mr. Becker said that while staff has always done auditing of campaign finance reports filed with the Board, staff is able to do a more thorough compliance audit now that Mr. Harvell has come on board and the Campaign Finance Information System has been improved with additional auditing tools. Mr. Harvell said staff has moved from conducting audits based on complaints to universal audits of everyone who is on the ballot during a calendar year. Staff now audits for compliance with the following statutes: \$10,000 annual individual limit, prohibited corporate contributions, inclusion of employer and occupation information for contributors when required, prohibited lobbyist contributions, campaign period limits for individual officeholders, and committee contribution limits.

Director Kennedy asked whether the amount of lobbyist forfeitures is higher this year than in the past. Mr. Becker said it probably is because of a narrow, four-day window when lobbyists could make contributions due to the timing of recall elections. He said the purpose of the audit is not to collect forfeitures, but to get committees to comply with the law. He said the amounts of forfeitures are based on a settlement schedule adopted by the Board, though staff has some discretion to adjust forfeitures based on aggravating and mitigating circumstances.

Judge Lamelas asked Mr. Becker whether he approves all forfeitures. He said staff members come to him if they want to vary from the settlement schedule. Mr. Harvell noted that if a committee is terminating, staff may accept a lower forfeiture based upon previously granted authority from the Ethics and Accountability Division Administrator. Director Kennedy added that Mr. Becker also checks with him on any variance from the settlement schedule.

I. Legislative Status Report

Director Kennedy introduced Ethics & Accountability Specialist Brian Bell, who recently transferred from the Elections Division but will continue monitoring legislation for the entire agency.

Mr. Bell provided a verbal and written report, beginning on page 78 of the December Board Meeting materials. He said staff has been monitoring 70 pieces of legislation this year. Mr. Haas commented that while there is one large omnibus elections bill being considered this session, there are also many smaller bills.

J. Director's Report

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

Written report from Division Administrator Becker and Division staff was included beginning on Page 94 of the Board meeting packet.

Elections Division Report – election administration

Written report from Division Administrator Haas and Division staff was included beginning on Page 98 of the Board packet.

Office of General Counsel Report – general administration

Written report from Kevin J. Kennedy, Sharrie Hauge, and Reid Magney was included beginning on Page 106 in the Board packet.

Director Kennedy noted that the Pew Charitable Trusts today featured an item about data-driven elections benefitting voters, which mentioned Wisconsin's efforts to make good use of data. Judge Vocke mentioned that Pew said Wisconsin is consistently among the highest performing states in its Elections Performance Index.

Judge Lamelas asked about the voter felon audit mentioned on page 103 in the Elections Division report, and why it is not complete. Director Kennedy explained that staff is working to automate the IT process between the Statewide Voter Registration System and the Department of Corrections, which prior to this year was done by a manual process. Judge Lamelas asked when it will be done, and Director Kennedy said it normally takes this long to be done. Staff Counsel Falk said clerks have already made referrals to district attorneys in some cases, and that G.A.B.'s audit is to ensure the process worked. Mr. Hein said that for 2012 there were fewer than 100 matches of potential felon voters. Mr. Falk said the improved process will help ensure that referrals to sheriffs and district attorneys relate to actual matches, which has not always been the case in the past.

MOTION: Accept the Director's Report. Moved by Judge Nichol, seconded by Judge Barland. Motion carried unanimously.

K. Closed Session

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

MOTION: Move to closed session pursuant to §§5.05(6a), 19.85(1)(h), 19.851, 19.85(1)(g), and 19.85(1)(c), to deliberate on requests for advice under the Code of Ethics for Public Officials and Employees, lobbying law, and campaign finance law; to consider the investigation of possible violations of Wisconsin’s lobbying law, campaign finance law, and Code of Ethics for Public Officials and Employees; and confer with counsel concerning pending litigation, and to consider employment, promotion and performance evaluation data of a public employee of the Board. Moved by Judge Nichol, seconded by Judge Barland.

Roll call vote: Lamelas:	Aye	Nichol:	Aye
Brennan:	Aye	Barland:	Aye
Froehlich:	Aye	Vocke:	Aye

Motion carried unanimously. The Board recessed at 11:50 a.m. for lunch and convened in closed session at 12:55 p.m.

L. Adjourn

The Board adjourned in closed session at 4:15 p.m.

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The next regular meeting of the Government Accountability Board is scheduled for Tuesday, January 14, 2014. The meeting will be held by teleconference at the Government Accountability Board office in Madison, Wisconsin beginning at 9:00 a.m. The Board will also hold a teleconference meeting on Monday, January 6, 2014 beginning at 10:00 am. The primary business of the meeting will be conducted in closed session.

December 17, 2013 Government Accountability Board meeting minutes prepared by:

Reid Magney, Public Information Officer

December 19, 2013

December 17, 2013 Government Accountability Board meeting minutes certified by:

Judge Michael Brennan, Board Secretary

January 14, 2014

State of Wisconsin\Government Accountability Board

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KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

Date: For the January 14, 2014 Meeting

To: Government Accountability Board Members

From: Kevin J. Kennedy, Director and General Counsel

Subject: Selection of Board Officers

Each state agency administered by a Board must elect a chairperson, vice-chairperson and secretary at its first meeting of every year. Wis. Stat. §15.07(2). The Government Accountability Board is required to select its Chairperson by lot, drawn by the current chairperson, at the first meeting of the Board in January of each year. Wis. Stat. §15.07(2)(b). Since the selection is done at a teleconference meeting, the current Board Chair designates a Board Member who is present in Madison to draw the names. In this case, Judge Brennan will be in Madison for the January 14, 2014 teleconference meeting.

There is no restriction on an individual being selected to serve as Chair more than once during the member's term. There is also no restriction limiting an individual from serving consecutive terms as Chairperson.

Each Board is required to select a chairperson, vice-chairperson and secretary. While the selection process for the chairperson of the Government Accountability Board is set by statute, the selection of the other officers is not. In January 2008, the Board established the practice of selecting the other officers by lot as well.

The Board has adopted the practice of filling a vacancy in an office by having the remaining officers move up to fill the respective vacancies. This keeps the succession practice consistent with the statutory requirement the Board Chairperson is selected by lot. The position of Secretary is chosen by lot to fill the vacancy created by this succession practice.

The staff will prepare the materials for selection of the officers by lot. The Board will be able to proceed with the selection of its 2014 officers at the January 14, 2014 meeting.

The new Chairperson will conduct the meeting after his or her selection. If the new Chairperson is one of the members participating by teleconference, the Chair may choose to have another member conduct the meeting from Madison.

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KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

Date: For the January 14, 2014 Meeting
To: Government Accountability Board Members
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 election laws. In separate subsections of Wis. Stat. §5.05 (1), the election law gives the Board 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)(g), 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 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 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.

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 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;

- To certify and sign election related documents including candidate certifications, certificates of election and certificates 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;
- 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 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 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.

This delegation continues beyond the calendar year until reviewed by the Board. This specific delegation should be reviewed each January by the Board or upon any transition in the position of Director and General Counsel. The next scheduled review would be January 2015 or the first meeting in 2015.

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;
- 7) To certify and sign election related documents including candidate certifications, certificates of election on behalf of the Board.
- 8) To accept, review, and exercise discretion to approve applications for voting system modifications for systems 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 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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JUDGE TIMOTHY L. VOCKE
Chair

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the January 14, 2014, Board Meeting

TO: Members, Government Accountability Board

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

Prepared and Presented by:
Diane Lowe, Lead Elections Administration Specialist
Government Accountability Board

SUBJECT: Ballot Access for the 2014 Spring Election

This memorandum presents a summary of important and noteworthy information about candidates requesting ballot access for the 2014 Spring Election.

Summary

The nomination paper filing deadline for the 2014 Spring Election for the offices of Court of Appeals Judge and Circuit Court Judge was 5:00 p.m., on Tuesday, January 7, 2014. A total of 52 candidates registered for the Spring Election, all of whom filed nomination papers with the Government Accountability Board. The incumbents in Court of Appeals Districts 2, 3 and 4 were the only candidates to register for those offices. Forty nine candidates registered for 41 Circuit Court Judge positions in 26 counties.

The first day to circulate nomination papers for the Spring Election was Sunday, December 1, 2013. Most papers were filed during the weeks of the Christmas and New Year holidays. By the end of the day on Friday, January 3, all but four of the candidates registered had filed. Two sets of papers were filed on the January 7th deadline. One of the candidates who filed on deadline day had not registered previously.

Date Submitted	Sets of Papers Filed
December 10, 2013	1
Week of December 16	11
Week of December 23 (3 working days)	18
Week of December 30 (3 working days)	17
January 6, 2014	3
January 7, 2014	2

Every nomination paper submission was reviewed and a determination regarding sufficiency was made within 24 hours. By the deadline for filing nomination papers on Tuesday, January 7, 2014, 16 candidates had also filed additional nomination papers to supplement their original filings.

Notification of Non-Candidacy

The Notification of Non-Candidacy is required to be filed by an incumbent who is not seeking re-election to the office he or she currently holds. If an incumbent fails to timely file the Notification of Non-Candidacy and does not file ballot access documents by the filing deadline, the filing deadline is extended 72 hours for any other candidate for that office. The extension does not apply to the incumbent.

Judge Michael D. Guolee, Milwaukee County Circuit Court Judge in Branch 32, was the only incumbent who filed a Notification of Non-Candidacy with the Elections Division by the deadline of Friday, December 27, 2013. All other incumbents timely filed ballot access documents.

Number of Nomination Paper Signatures Required

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

Irregularities in Ballot Access Documents Not Affecting Ballot Status

There were several notable irregularities, which staff feels do not affect ballot status:

1. James P. Daley, candidate for Rock County Circuit Court Judge, Branch 1, circulated his papers with the election date listed as April 2, 2014 (the Spring Election is April 1, 2014). There are no other elections scheduled in April for this office. Therefore, it is the sense of G.A.B. staff that voters were not confused or misled by this error.
2. Mitchell J. Metropulos, candidate for Outagamie County Circuit Court Judge, Branch 3, circulated one nomination paper page that indicated both the Town of Grand Chute and the City of Appleton as the candidate's municipality for voting. "Grand Chute" had been crossed out. A search of the Statewide Voter Registration System (SVRS) showed that the City of Appleton is the correct voting municipality. Staff counted the ten signatures on the page. Candidate Metropulos had a total of

257 valid signatures. Had staff discounted this page, sufficiency of the papers would not have been affected.

3. Roger M. Hillestad circulated one page of his papers with an election date of April 1, 2013. Staff determined that electors who may have noticed the error would have to assume the election was for 2014, not for an election date which occurred in the past.
4. Maureen D. Boyle, candidate for Barron County Circuit Court Judge, Branch 3, inadvertently mailed copies of her papers, rather than the original documents. The original documents were subsequently received before the deadline.
5. Kristina M. Bourget, candidate for Eau Claire County Circuit Court Judge, Branch 1, circulated three pages of her nomination papers with much of the text of the electors' certification and the certification of circulator cut off. Staff did not count the signatures on these pages. The candidate had sufficient signatures without these pages.
6. Edmund Jelinski, candidate for Waupaca County Circuit Court Judge, Branch 2, listed the title of the office as merely "Judge," rather than Circuit Court Judge. The jurisdiction (Waupaca County) and branch were listed correctly. Staff considers Mr. Jelinski's papers substantially compliant.

Three candidates are within ten percent of the minimum number of required signatures, two of whom are running uncontested.

Probable Primaries

Assuming Statements of Economic Interests are timely filed and barring any successful challenge to the sufficiency of nomination papers, there will be primaries in the offices of Dunn County Circuit Court Judge, Branch 1 and Waupaca County Circuit Court Judge, Branch 2.

The deadline for filing challenges to nomination papers is Friday, January 10, 2013. If any challenges are filed, Board staff will analyze the challenge and response documents and present recommendations regarding those candidates at the Board meeting. Absent any challenges and contingent upon each candidate submitting a completed Statement of Economic Interests form, staff recommends certification of all candidates listed on the "Candidates on Ballot" reports which are attached. One report lists offices requiring a primary and the other lists offices which do not require a primary.

Recommended Motion: Absent any successful ballot access challenges and contingent upon each candidate submitting a completed Statement of Economic Interests form, the Board certifies ballot status for all candidates listed on the attached "Candidates on Ballot" reports for the 2014 Spring Primary and Spring Election.

Attachments: List of Incumbents who Filed a Notification of Noncandidacy
List of Candidates Recommended for Ballot Status -- Spring Primary
List of Candidates Recommended for Ballot Status -- Spring Election

**INCUMBENTS WHO HAVE FILED
 NOTIFICATIONS OF NONCANDIDACY (GAB-163)
 FOR THE APRIL 1, 2014 SPRING ELECTION
 FINAL**

DUE: DECEMBER 27, 2013, 5:00 P.M.

NAME	ID #	OFFICE	DATE FILED
Michael D. Guolee	101722	Milwaukee County Circuit Court Judge, Branch 32	8/26/2013

**Wisconsin Government Accountability Board
Candidates on Ballot by Election
2014 SPRING PRIMARY - 2/18/2014**

Ballot Order#	GAB ID	Candidate	Party
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Office: DUNN COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Incumbent: Vacant

1	102343	JAMES M. PETERSON 1220 Golf View Dr Menomonie, WI 54751-1542	Non-Partisan
2	103385	ROGER M. HILLESTAD E5070 County Road Y Menomonie, WI 54751-6748	Non-Partisan
3	105470	CHRISTINA M. MAYER 503 13Th St Se Menomonie, WI 54751-2904	Non-Partisan

Total Number of DUNN COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Candidates: 3

Office: WAUPACA COUNTY CIRCUIT COURT JUDGE, BRANCH Incumbent: Vacant

1	103529	EDMUND J. JELINSKI 2780 County Road Jj Neenah, WI 54956-4302	Non-Partisan
2	105476	KEITH A. STECKBAUER W9728 Meadowview Dr Dale, WI 54931	Non-Partisan
3	103791	BRENDA STARR FREEMAN E8999 Cut Off Rd New London, WI 54961-9018	Non-Partisan
4	105480	VICKI TAGGATZ CLUSSMAN 220 Vista Ct Waupaca, WI 54981-1993	Non-Partisan

Total Number of WAUPACA COUNTY CIRCUIT COURT JUDGE, BRANCH 2 Candidates: 4

Wisconsin Government Accountability Board
Candidates on Ballot by Election

Ballot Order#	GAB ID	Candidate	Party
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Total Number of Candidates on Report: 7

TEMPLATE

Wisconsin Government Accountability Board
 Candidates on Ballot by Election
 2014 SPRING ELECTION - 4/1/2014

Ballot Order#	GAB ID	Candidate	Party
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Office: COURT OF APPEALS - DISTRICT 1 Incumbent: Patricia S. Curley

1 100970 PATRICIA S. CURLEY
 825 N Prospect Ave Unit 1702
 Milwaukee, WI 53202-3965

Total Number of COURT OF APPEALS - DISTRICT 1 Candidates: 1

Office: COURT OF APPEALS - DISTRICT 2 Incumbent: Lisa S. Neubauer

1 104623 LISA S. NEUBAUER
 1145 Main St
 Racine, WI 53403-1926

Total Number of COURT OF APPEALS - DISTRICT 2 Candidates: 1

Office: COURT OF APPEALS - DISTRICT 4 Incumbent: Gary E. Sherman

1 103485 GARY E. SHERMAN
 2505 Waunona Way
 Madison, WI 53713-1522

Total Number of COURT OF APPEALS - DISTRICT 4 Candidates: 1

Office: BARRON COUNTY CIRCUIT COURT JUDGE, BRANCH 2 Incumbent: J. Michael Bitney

1 102830 J. MICHAEL BITNEY
 1210B E Orchard Beach Ln
 Rice Lake WI 54868

Total Number of BARRON COUNTY CIRCUIT COURT JUDGE, BRANCH 2 Candidates: 1

Office: BARRON COUNTY CIRCUIT COURT JUDGE, BRANCH 3 Incumbent: Maureen Boyle

1 105478 MAUREEN D. BOYLE
 1010 Yorkshire Ave
 Rice Lake, WI 54868-1062

Total Number of BARRON COUNTY CIRCUIT COURT JUDGE, BRANCH 3 Candidates: 1

Wisconsin Government Accountability Board
 Candidates on Ballot by Election
 2014 SPRING ELECTION - 4/1/2014

Ballot Order#	GAB ID	Candidate	Party
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Office: CHIPPEWA COUNTY CIRCUIT COURT JUDGE, BRANCH 1
 1 101727 RODERICK A. CAMERON Roderick A. Cameron
 244 Dwight St Non-Partisan
 Chippewa Falls WI 54729
Total Number of CHIPPEWA COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Candidates: 1

Office: CHIPPEWA COUNTY CIRCUIT COURT JUDGE, BRANCH 3
 1 104627 STEVEN R. CRAY Steven R. Cray
 7000 178Th St Non-Partisan
 Chippewa Falls WI 54729
Total Number of CHIPPEWA COUNTY CIRCUIT COURT JUDGE, BRANCH 3 Candidates: 1

Office: DANE COUNTY CIRCUIT COURT JUDGE, BRANCH 1
 1 104613 JOHN W. MARKSON John W. Markson
 333 W Mifflin St Unit 1265 Non-Partisan
 Madison, WI 53703-6002
Total Number of DANE COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Candidates: 1

Office: DANE COUNTY CIRCUIT COURT JUDGE, BRANCH 7
 1 104592 WILLIAM E. HANRAHAN William E. Hanrahan
 6263 Paske Ct Non-Partisan
 Middleton, WI 53562-3336
Total Number of DANE COUNTY CIRCUIT COURT JUDGE, BRANCH 7 Candidates: 1

Office: DODGE COUNTY CIRCUIT COURT JUDGE, BRANCH 1
 1 104607 BRIAN A. PFITZINGER Brian A. Pfitzinger
 334 Brookside Dr Unit 7 Non-Partisan
 Mayville, WI 53050-2858
Total Number of DODGE COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Candidates: 1

Wisconsin Government Accountability Board
 Candidates on Ballot by Election
 2014 SPRING ELECTION - 4/1/2014

Ballot Order#	GAB ID	Candidate	Party
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Office: DODGE COUNTY CIRCUIT COURT JUDGE, BRANCH 4 Incumbent: Steven Bauer

1 103986 STEVEN G. BAUER
 109 Dana Dr
 Beaver Dam, WI 53916-1425
 Non-Partisan

Total Number of DODGE COUNTY CIRCUIT COURT JUDGE, BRANCH 4 Candidates: 1

Office: DUNN COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Incumbent: Vacant

Total Number of DUNN COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Candidates: 0

Office: EAU CLAIRE COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Incumbent: Kristina Bourget

1 105445 KRISTINA M. BOURGET
 1703 Pine Park Dr
 Eau Claire, WI 54701-7867
 Non-Partisan

Total Number of EAU CLAIRE COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Candidates: 1

Office: EAU CLAIRE COUNTY CIRCUIT COURT JUDGE, BRANCH 2 Incumbent: Michael Schumacher

1 104622 MICHAEL SCHUMACHER
 3608 Nimitz St
 Eau Claire, WI 54701-7223
 Non-Partisan

Total Number of EAU CLAIRE COUNTY CIRCUIT COURT JUDGE, BRANCH 2 Candidates: 1

Office: FLORENCE-FOREST COUNTY CIRCUIT COURT JUDGE Incumbent: Leon D. Stenz

1 105454 ROBERT A. KENNEDY, JR.
 307 E Lakeview St
 Crandon, WI 54520-1712
 Non-Partisan

2 102492 LEON D. STENZ
 6115 N Railroad Ave
 Crandon, WI 54520-1826
 Non-Partisan

Total Number of FLORENCE-FOREST COUNTY CIRCUIT COURT JUDGE Candidates: 2

Wisconsin Government Accountability Board
 Candidates on Ballot by Election
 2014 SPRING ELECTION - 4/1/2014

Ballot Order#	GAB ID	Candidate	Party
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Office: FOND DU LAC COUNTY CIRCUIT COURT JUDGE, BRANCH 1
 Incumbent: Dale L. English
 1 103307 DALE L. ENGLISH
 16 Country Ct
 Fond Du Lac, WI 54935-9612
 Non-Partisan
Total Number of FOND DU LAC COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Candidates: 1

Office: JEFFERSON COUNTY CIRCUIT COURT JUDGE, BRANCH 3
 Incumbent: David J. Wambach
 1 105488 JOANN L. MILLER
 1157 Hillebrand Dr
 Jefferson, WI 53549-2223
 Non-Partisan
 2 103420 DAVID J. WAMBACH
 914 Pope St
 Lake Mills, WI 53551-1367
 Non-Partisan
Total Number of JEFFERSON COUNTY CIRCUIT COURT JUDGE, BRANCH 3 Candidates: 2

Office: JUNEAU COUNTY CIRCUIT COURT JUDGE, BRANCH 2
 Incumbent: Paul S. Curran
 1 104628 PAUL S. CURRAN
 324 Tremont St
 Mauston, WI 53948-1306
 Non-Partisan
Total Number of JUNEAU COUNTY CIRCUIT COURT JUDGE, BRANCH 2 Candidates: 1

Office: KENOSHA COUNTY CIRCUIT COURT JUDGE, BRANCH 3
 Incumbent: Bruce E. Schroeder
 1 100677 BRUCE E. SCHROEDER
 4210 95Th St
 Pleasant Pr, WI 53158-3713
 Non-Partisan
Total Number of KENOSHA COUNTY CIRCUIT COURT JUDGE, BRANCH 3 Candidates: 1

Office: MARATHON COUNTY CIRCUIT COURT JUDGE, BRANCH 3
 Incumbent: Lamont Jacobson
 1 105464 LAMONT K. JACOBSON
 3321 Richards Rd
 Wausau, WI 54401-4046
 Non-Partisan
Total Number of MARATHON COUNTY CIRCUIT COURT JUDGE, BRANCH 3 Candidates: 1

Wisconsin Government Accountability Board
 Candidates on Ballot by Election
 2014 SPRING ELECTION - 4/1/2014

Ballot Order#	GAB ID	Candidate	Party
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Office: MARINETTE COUNTY CIRCUIT COURT JUDGE, BRANCH 1
 Incumbent: David G. Miron
 1 102610 DAVID G. MIRON
 N7350 Right Of Way Rd
 Crivitz, WI 54114-7669
 Non-Partisan

Total Number of MARINETTE COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Candidates: 1

Office: MENOMINEE-SHAWANO COUNTY CIRCUIT COURT JUDGE, BR 1
 Incumbent: James R. Habeck
 1 103960 JAMES R. HABECK
 N5681 Riverside Dr
 Shawano, WI 54166-1078
 Non-Partisan

Total Number of MENOMINEE-SHAWANO COUNTY CIRCUIT COURT JUDGE, BR 1 Candidates: 1

Office: MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 7
 Incumbent: Thomas Mcadams
 1 105437 THOMAS J. MCADAMS
 8322 Woodgate Ct
 Greendale, WI 53129-1067
 Non-Partisan

Total Number of MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 7 Candidates: 1

Office: MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 21
 Incumbent: Bill Brash
 1 103508 BILL BRASH
 8203 N Santa Monica Blvd
 Fox Point, WI 53217-2869
 Non-Partisan

Total Number of MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 21 Candidates: 1

Office: MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 24
 Incumbent: Vacant
 1 105433 JANET PROTASIEWICZ
 8274 S Country Club Cir
 Franklin, WI 53132-8532
 Non-Partisan

Total Number of MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 24 Candidates: 1

Wisconsin Government Accountability Board
 Candidates on Ballot by Election
 2014 SPRING ELECTION - 4/1/2014

Ballot Order#	GAB ID	Candidate	Party
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Office: MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 27 **Incumbent: Kevin E. Martens**

1	103962	KEVIN E. MARTENS 8348 S 68Th St Franklin, WI 53132-9271	Non-Partisan
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Total Number of MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 27 Candidates: 1

Office: MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 31 **Incumbent: Daniel A. Noonan**

1	103285	DANIEL A. NOONAN 1522 N Prospect Ave Milwaukee, WI 53202-6512	Non-Partisan
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Total Number of MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 31 Candidates: 1

Office: MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 32 **Incumbent: Michael D. Guolee (Filed Notification of Noncandidacy)**

1	105436	LAURA GRAMLING PEREZ 7831 W North Ave Wauwatosa, WI 53213-1740	Non-Partisan
2	105439	CEDRIC CORNWALL 9225 Beverly Pl Wauwatosa, WI 53226-1712	Non-Partisan

Total Number of MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 32 Candidates: 2

Office: MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 40 **Incumbent: Rebecca Dallet**

1	104609	REBECCA DALLET 6208 N Berkeley Blvd Whitefish Bay, WI 53217-4331	Non-Partisan
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Total Number of MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 40 Candidates: 1

Office: MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 41 **Incumbent: John J. Dimotto**

1	102474	JOHN J. DIMOTTO 7664 Overlook Dr Greendale, WI 53129-2138	Non-Partisan
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Total Number of MILWAUKEE COUNTY CIRCUIT COURT JUDGE, BRANCH 41 Candidates: 1

Wisconsin Government Accountability Board
Candidates on Ballot by Election
2014 SPRING ELECTION - 4/1/2014

Ballot Order#	GAB ID	Candidate	Party
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Office: ONEIDA COUNTY CIRCUIT COURT JUDGE, BRANCH 1 **Incumbent:** Patrick F. O'melia

1 102522 PATRICK F. O'MELIA
 304 Ridgeway Dr
 Rhinelander, WI 54501-3237

Total Number of ONEIDA COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Candidates: 1

Office: OUTAGAMIE COUNTY CIRCUIT COURT JUDGE, BRANCH 2 **Incumbent:** Nancy J. Krueger

1 104601 NANCY KRUEGER
 905 N Kensington Dr
 Appleton, WI 54915-2913

Total Number of OUTAGAMIE COUNTY CIRCUIT COURT JUDGE, BRANCH 2 Candidates: 1

Office: OUTAGAMIE COUNTY CIRCUIT COURT JUDGE, BRANCH 3 **Incumbent:** Mitchell J. Metropulos

1 103987 MITCHELL J. METROPULOS
 1009 E Northwood Dr
 Appleton, WI 54911-1551

Total Number of OUTAGAMIE COUNTY CIRCUIT COURT JUDGE, BRANCH 3 Candidates: 1

Office: POLK COUNTY CIRCUIT COURT JUDGE, BRANCH 1 **Incumbent:** Molly E. Galewyrick

1 103981 MOLLY E. GALEWYRICK
 1397 45Th Ave
 Amery, WI 54001-2825

Total Number of POLK COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Candidates: 1

Office: PRICE COUNTY CIRCUIT COURT JUDGE **Incumbent:** Douglas T. Fox

1 101743 DOUGLAS T. FOX
 W8441 Danish Settlement Rd
 Phillips, WI 54555-6548

Total Number of PRICE COUNTY CIRCUIT COURT JUDGE Candidates: 1

Wisconsin Government Accountability Board
 Candidates on Ballot by Election
 2014 SPRING ELECTION - 4/1/2014

Ballot Order#	GAB ID	Candidate	Party
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Office: RACINE COUNTY CIRCUIT COURT JUDGE, BRANCH 7 Incumbent: Charles H. Constantine

1 103284 CHARLES CONSTANTINE
 1011 Russet St
 Racine, WI 53405-2363

Total Number of RACINE COUNTY CIRCUIT COURT JUDGE, BRANCH 7 Candidates: 1

Office: ROCK COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Incumbent: James P. Daley

1 102469 JAMES P. DALEY
 1136 Summerhill Dr
 Janesville, WI 53546-3723

Total Number of ROCK COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Candidates: 1

Office: SAINT CROIX COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Incumbent: Eric J. Lundell

1 102484 ERIC J. LUNDELL
 1096 Tanney Ln
 Hudson, WI 54016-7300

Total Number of SAINT CROIX COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Candidates: 1

Office: SAINT CROIX COUNTY CIRCUIT COURT JUDGE, BRANCH 4 Incumbent: Howard Cameron

1 104617 HOWARD W. CAMERON
 449 Overlook Pass
 Hudson, WI 54016-7547

Total Number of SAINT CROIX COUNTY CIRCUIT COURT JUDGE, BRANCH 4 Candidates: 1

Office: WASHINGTON COUNTY CIRCUIT COURT JUDGE, BRANCH 2 Incumbent: James K. Muehlbauer

1 104610 JAMES K. MUEHLBAUER
 720 High St
 West Bend, WI 53090-1844

Total Number of WASHINGTON COUNTY CIRCUIT COURT JUDGE, BRANCH 2 Candidates: 1

Wisconsin Government Accountability Board
 Candidates on Ballot by Election
 2014 SPRING ELECTION - 4/1/2014

Ballot Order#	GAB ID	Candidate	Party
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Office: WAUKESHA COUNTY CIRCUIT COURT JUDGE, BRANCH 5
 1 101193 LEE S. DREYFUS, JR.
 3032 Walden Cir
 Waukesha, WI 53188-4035
 Incumbent: Lee S. Dreyfus Jr
 Non-Partisan
Total Number of WAUKESHA COUNTY CIRCUIT COURT JUDGE, BRANCH 5 Candidates: 1

Office: WAUKESHA COUNTY CIRCUIT COURT JUDGE, BRANCH 6
 1 103297 PATRICK C. HAUGHNEY
 2317 Pendleton Pl
 Waukesha, WI 53188-5537
 Incumbent: Patrick C. Haughney
 Non-Partisan
Total Number of WAUKESHA COUNTY CIRCUIT COURT JUDGE, BRANCH 6 Candidates: 1

Office: WAUPACA COUNTY CIRCUIT COURT JUDGE, BRANCH 2
 2
 Incumbent: Vacant
Total Number of WAUPACA COUNTY CIRCUIT COURT JUDGE, BRANCH 2 Candidates: 0

Office: WOOD COUNTY CIRCUIT COURT JUDGE, BRANCH 1
 1 102510 GREGORY J. POTTER
 950 1st Ave S
 Wisc Rapids, WI 54495-4106
 Incumbent: Gregory J. Potter
 Non-Partisan
Total Number of WOOD COUNTY CIRCUIT COURT JUDGE, BRANCH 1 Candidates: 1

Wisconsin Government Accountability Board
Candidates on Ballot by Election

Ballot Order#	GAB ID	Candidate	Party
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Total Number of Candidates on Report: 45

TEMPLATE

State of Wisconsin\Government Accountability Board

212 East Washington Avenue, 3rd Floor
Post Office Box 7984
Madison, WI 53707-7984
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JUDGE TIMOTHY L. VOCKE
Chair

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the January 14, 2014 Board Meeting

TO: Members, Wisconsin Government Accountability Board

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

Prepared and Presented by:
Michael Haas
Elections Division Administrator

Ross Hein
Elections Supervisor

SUBJECT: Voting Equipment Audit and Ballot Review Issues

At its December 17, 2013 meeting, the Board received results of voting equipment audits completed after the 2008, 2010 and 2012 general elections. The Board discussed the purpose of the audit in ensuring that Board-approved voting equipment accurately tabulated ballot markings. Staff clarified that the audit was not intended to focus on determining a voter's intent when an elector either cast a write-in vote or did not properly mark the ballot but the vote still could be determined by human review. During the public comment section of the its meeting, the Board was also encouraged to require that election inspectors conduct a more thorough review of ballots on Election Night, a process that is not required or contemplated by current Statutes.

Board members raised several questions about Election Night procedures as well as the voting equipment audit processes, and requested that staff prepare a summary of issues raised for possible further discussion. This memorandum briefly summarizes questions raised by the Board's discussion and related issues which may warrant further consideration.

Voting Equipment Audit

The staff identified the following issues raised in the Board's discussion last month. A brief commentary follows the listing of issues.

- What are the statutory requirements and purposes of the voting equipment audit, and how do the current audit procedures fulfill the mandates of Wisconsin Statutes?

- How does voting equipment certification and approval relate to the voting equipment audit and the inability of most voting equipment to determine the intent of voters who do not mark ballots consistent with ballot instructions?
- Should the review of ballots for voter intent be integrated into the voting equipment audit process or other election administration tasks? What, if any, changes in Wisconsin Statutes, Board policies, and local election official duties would be necessary to include such a review as part of the voting equipment audit?

As discussed at the December Board meeting, Wis. Stat. §7.08 provides little direction regarding specific procedures governing the voting equipment audit. The statute states only that, following each general election, the Board shall audit the performance of each voting system used in Wisconsin to determine the error rate of the system in counting ballots that are validly cast by electors, and shall take remedial action if the error rate of a voting system exceeds the rate permitted under federal standards. Board staff has developed protocols and procedures for auditing voting equipment by both local officials and Board staff, and modified those practices based upon the experience of each successive audit.

Wisconsin Statutes do not contemplate that the voting equipment audit should include a review of ballots that the equipment did not count because they were marked improperly and to determine whether the voter's intent in those situations was accurately reflected in the canvass results. Therefore the audit has not been designed to conduct that type of analysis. Requiring such a step would be a significant revision of the scope of the voting equipment audit.

Ballot Review

The staff identified the following issues raised in the Board's discussion last month. A brief commentary follows the listing of issues.

- What are the current procedures for local election officials to review ballots on Election Night, during the official canvass, and during the recount process?
- What processes would be impacted by expanding Election Night and/or canvass board duties to include a more thorough review of ballots to determine voter intent of ballots from which voting equipment cannot record a vote?
- What would be the goal of an expanded ballot review process on Election Night to determine voter intent? What would be the scope of such an expanded review, and what additional time and costs would be required? What statutory changes would be necessary for the Board to require local election officials to review individual ballots on Election Night and during the canvass process?

Current procedures for the review of ballots on Election Night and during the official canvass are established by Wisconsin Statutes and Board policies, which do not require or authorize local election officials to examine each ballot that is tabulated by electronic voting equipment as part of official Election Night or canvass duties. Write-in votes are counted by hand, but ballots which the tabulating equipment cannot read due to marking errors are not hand-

counted. The position of the Board has been that current procedures are consistent with Wisconsin Statutes and that conducting an individual review of ballots tabulated by voting equipment as a part of the official Election Night procedures or official canvass would require statutory changes.

For several years, a number of organizations and individuals have urged the Board to either require or permit election inspectors to review each individual ballot as a way of verifying the voting equipment tabulation. There has been no evidence presented that voting equipment in Wisconsin has failed to accurately tabulate election results, or that the thorough procedures required as part of a recount need to be incorporated into Election Night or the official canvass. To the contrary, the 2011 statewide recount and recent voting equipment audits have demonstrated the accuracy of tabulation by voting systems.

Recommendation

Given statutory requirements, Board staff recommends that neither the voting equipment audit nor the ballot-counting procedures should be modified to include an expanded analysis of ballots, without a thorough review of current statutes and procedures and careful consideration of issues surrounding such changes. Whether current statutes would accommodate such changes would need to be researched. Anticipated potential benefits as well as increased costs and workloads that would be absorbed by local election officials would need to be evaluated, and Board staff would need to seek the input of local election officials. In the event that the Board wishes to pursue consideration of such changes, Board staff proposes that an appropriate first step would be to provide a more thorough informational presentation regarding these issues at a future Board meeting.

Requested Action: That the Board determine whether it wishes to receive further information and analysis regarding the issues described above, and provide further direction to staff concerning the information the Board wishes to receive or changes the Board wishes to pursue.

State of Wisconsin\Government Accountability Board

212 East Washington Avenue, 3rd Floor
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JUDGE TIMOTHY L. VOCKE
Chair

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the January 14, 2013 Board Meeting

TO: Members, Wisconsin Government Accountability Board

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

Prepared and Presented by:
Michael Haas
Elections Division Administrator

SUBJECT: Annual Reports Regarding Use of HAVA Funds

As a condition of Wisconsin's receipt and use of federal funds under the Help America Vote Act of 2002 (HAVA), the Government Accountability Board is required to submit annual reports to the U.S. Election Assistance Commission (U.S. EAC). The annual reports are due at the end of the calendar year but relate to agency activities during the 2013 federal fiscal year, October 1, 2012 through September 30, 2013. Included with the Board's meeting materials are two narrative reports describing major initiatives of the G.A.B. using funds disbursed under HAVA §101 and HAVA §251, along with corresponding Federal Financial Reports which track the total HAVA funds received and the remaining portions available to Wisconsin.

Due to agency functions that qualify to use funds from either Section 101 or Section 251 funds, the first nine pages of the two narrative reports describe the same agency activities. The reports represent a snapshot of many of the Elections Division projects that took place over the last year, although some tasks funded solely by state funds are not included in the reports. In the near future the Elections Division will also publish a summary list of accomplishments for 2013, which will be provided to the Board. The entire Elections Division and agency finance staff contributed to the material contained in the annual HAVA reports, but they were compiled and drafted by Elections Specialist David Buerger, who has also been the lead author of previous annual reports.

Because the reports were recently submitted to the U.S. EAC, they are being shared with the Board at this time. No action is required, but if the Board wishes to discuss the reports in more depth, the item may be placed on the agenda for the March Board meeting.

STATE OF WISCONSIN
Wisconsin Government Accountability Board

HAVA, Title I, Section 101
Analysis & Description of Activities Funded
(October 1, 2012 – September 30, 2013)

In Wisconsin, elections are administered at the state level by the Government Accountability Board (G.A.B.), but are conducted at the local level by 1,924 local elections officials covering 72 counties and 1,852 municipalities.

During FFY-2013, the G.A.B. administered four state-level elections: three regularly scheduled elections including the 2012 Presidential and General Election, the 2013 Spring Primary, the 2013 Spring Election, and one special election to fill a vacancy in the State Senate. The G.A.B. also assisted in nine other local elections including local recalls, school district referenda, and special elections. There were also nine recounts, which were conducted by local election officials supported by Board staff. Over the reporting period Wisconsin used approximately 3,550 polling places and recorded votes in approximately the same number of reporting units.

During the reporting period, HAVA 101 funds were used to support six general purposes:

1. Complying with the requirements of Title III – § 101(b)(1)(A).

Wisconsin became fully compliant with Title III of HAVA on August 6, 2008. HAVA § 101 funds have been used to support various activities that are required to keep the State in compliance with Title III.

The Wisconsin Government Accountability Board (G.A.B.) has assembled a team of technical contractors for applications development and support for G.A.B.'s IT systems, which is managed by G.A.B. staff. The IT team supports all Elections Division software applications including the Statewide Voter Registration System (SVRS), the voter information portal (MyVote Wisconsin), the Wisconsin Election Data Collection System (WEDCS), the Canvass Reporting System (CRS), the AccessElections! Accessibility Compliance System, the Provisional Ballot Tracking System, the Outstanding Absentee Reporting System, and the Ineligible Voter List, and develops any new IT tools the Elections Division may need. The team is presently working on an SVRS modernization strategy that will significantly boost performance and reduce operating costs.

Board staff installed updates to G.A.B. IT systems on several occasions during FFY-2013. These updates were for the following general purposes:

- Addition of new functionality
- General performance enhancements
- Resolution of technical issues with the software

The Canvass Reporting System (CRS) was updated this reporting period to further support local election officials by allowing for the upload of an election results file produced by the local municipality's election management software. This eliminates the need for costly and time-consuming data entry on Election Night while also removing a potential source of human error from the process.

The AccessElections! Accessibility Compliance System saw further improvements this reporting period as well. Board staff created an automated process to generate post-audit letters sent to local election officials after survey data is entered for their municipality. This automated process allows Board staff to accelerate the pace at which municipalities receive their post-audit reports from the G.A.B. and to more rapidly deploy solutions to any accessibility problems identified at the polling place.

MyVote Wisconsin (<https://myvote.wi.gov/>) serves as Wisconsin's comprehensive voter information portal and includes information on voter registration, absentee voting, election dates, polling place hours and location, sample ballots, elected official contact information, absentee ballot status, voting history, provisional ballot status, and other general information regarding voting. The MyVote Wisconsin site also facilitates voter registration by allowing voters to generate an electronic voter registration online, which is instantaneously logged in the SVRS, and can be quickly confirmed by the local election official once the signed original application is received. The MyVote Wisconsin site also hosts Wisconsin's military and overseas voter online ballot request and delivery system. This reporting period, MyVote Wisconsin received several updates to reflect changes in state law, better support the online ballot delivery system for military and overseas voters, and provide a better user experience.

The Ineligible Voter List system allows local election officials to access Department of Corrections' data on convicted felons currently under supervised release in the community. This online system allows local election officials to search statewide data for potential matches with new registrants and to print localized ineligible voter lists on demand. This system is more cost-effective and efficient than the former manual process of printing felon lists centrally and mailing them to their respective localities. Local election officials have applauded this new system to make the current process more effective and in some cases have eliminated the use of paper lists entirely through effective use of technology in the polling place to provide an entirely electronic check-in process.

The Wisconsin Election Data Collection System (WEDCS) is where local election officials provide a large variety of election-related statistics such as the number of registered voters in their municipality, the number of absentee ballots issued/returned/counted/rejected, etc. G.A.B. staff standardized the questions for the GAB-190 report into federal election and non-federal election versions, arranging the questions in a more logical order and making the forms always available online ahead of elections. The GAB-190 Help Guide revision now includes updated tutorials on completing the forms with more accurate and updated definitions.

Local election officials also submit actual election cost data (not estimates) through WEDCS. Cost data were gathered for four state-level elections during the reporting period. Municipal and county clerks reported cost data in eight different pre-determined categories for each election. The cost categories include notices, ballots, absentee, voting equipment, polling place, poll workers, other local election officials, and miscellaneous costs which clerks are asked to specify. Local election officials will also submit annual cost reports starting for 2014. The G.A.B. incorporates the collection of election costs into its business practices because these costs are a major component in providing meaningful reporting on election results and statistics. In addition, this information helps:

- Convey the complete cost of conducting elections to chief executives, governing boards, and voters.
- Develop budgets for elections.

- Prepare fiscal impact statements on pending election-related legislation.
- Predict election costs based on voting trends and projected turnout.
- Identify potential cost savings.

Local election officials continue to use the SVRS to validate voter registration information against Department of Transportation (DOT) and Social Security Administration (SSA) records, and confirm matches with Department of Corrections (DOC) felon information and Department of Health Services (DHS) death data. Local election officials process these “HAVA Checks” and confirm matches on a continuous basis during the course of their daily election administration tasks. This process has been followed since these interfaces first became functional in SVRS on August 6, 2008.

The State Vital Records office in the Department of Health Services (DHS) updated its vital records tracking system which allowed it to use more current technologies when providing death records to the G.A.B. G.A.B. IT staff was able to redesign the process to import those records into SVRS to make the process more stable and to replace antiquated middleware that was previously used. The death records provided to G.A.B. under the new system also include additional data that improves the quality of the data matches, and provides additional supporting information to help a clerk determine if a death record and a voter record are in fact related to the same person.

On behalf of Wisconsin’s 1,852 municipalities, the Board completed the statutorily required biennial voter list maintenance. Wisconsin Statutes § 6.50 (1) and (2) mandate the inactivation of voters who have not voted within the past four years. A mailing is sent to registered voters who have been qualified to vote for the past four years but who have not voted. Of the 299,748 postcards mailed by the Board, 105,667 were returned undeliverable, 16,652 postcards were returned requesting continuation of registration, and 177,422 postcards were not returned. The purpose of the biennial maintenance is to help Wisconsin maintain accurate and quality voter data, and make sure every voter’s name and address is correct and current, and to remove from poll lists the names of voters that no longer wish to vote.

For the 2012-2013 Four-Year Voter Record Maintenance, a new technology dashboard was developed to simplify the processing of returned postcards. The new dashboard which utilized Microsoft Dynamics CRM streamlined the process for providing clerks list of all voters who were mailed postcards as part of the biennial maintenance process. Clerks reported that the new dashboard was easy to use and reduced the time spent processing returned postcards.

Redistricting implementation continued through this reporting period. One of the first elections to use the new district information was the 2012 Presidential and General Election. Based on user feedback, Board staff developed a major overhaul of the mapping functionality of SVRS and continues to further refine the import process for loading new maps into SVRS. This new process for importing map files into SVRS should make future district changes less time-consuming to implement. Finally, to further support local election officials with mapping and districting concerns, the G.A.B. created and recruited for a new GIS Election Specialist position, which was filled during this reporting period.

Board staff has developed a GIS tool to improve the process of updating districts to account for annexations, school district boundaries, and sanitary district boundaries. This tool uses a step by step process to update boundaries received from local Land Information departments

into SVRS. It decreases the turnaround time for an annexation to be accurately reflected within SVRS. It also greatly decreases the IT resources required to update district boundaries in SVRS to accurately represent new changes.

G.A.B. staff also completed several tasks related to certification and performance of voting equipment during FYY-2013. On June 13, 2012, Board staff received an Application for Approval of Unity 3.4.0.0 from Election Systems and Software (ES&S). This application was initially rejected for noncompliance with state requirements. ES&S resubmitted a compliant Application for Approval of Unity 3.4.0.0 on December 18, 2012. Board staff scheduled voting system evaluations and demonstrations for ES&S during the week of February 11, 2013.

As required by Wis. Admin. Code GAB § 7.02(1), staff conducted three mock elections with each component of the voting system: a partisan primary, a general election with both a presidential and gubernatorial vote, and a nonpartisan election combined with a presidential preference vote. The mock elections offered an opportunity for staff to perform functional testing to ensure the system conforms to all Wisconsin requirements. Staff determined the results produced by the system matched the expected results from the test plan.

Following the mock elections, an evening public demonstration of the voting system was conducted February 13, 2013 and members of the public were able to use the system and provide comment. Also, on February 14, 2013 the Wisconsin Election Administration Council (WI-EAC), which is made up of municipal and county clerks, representatives of the disability community, and community advocates, participated in a demonstration by the manufacturer and evaluated the equipment.

At its March 20, 2013 meeting, the G.A.B. approved the Application for Approval of the Unity 3.4.0.0 system. This approval allows the system to be sold and used in Wisconsin as tested and certified.

ES&S also sought Board approval for Unity 3.4.0.1. However, Unity 3.4.0.1 lacks federal certification and will never receive it because ES&S had withdrawn it from the U.S. EAC testing and certification program and had informed Board staff that it would not re-submit it for review by the U.S. EAC. Unity 3.4.0.1 is a modification of the Unity 3.4.0.0 system that provides support for modeming of unofficial results from the polling place to a central server.

As ES&S requested approval of a system that was not anticipated to receive U.S. EAC certification, the Board directed staff to review the practices of other states in testing and certification of non-U.S. EAC certified voting systems where the underlying voting system received U.S. EAC certification to either the 2002 or 2005 Voluntary Voting System Guidelines (VVSG), but any additional modeming component will not meet the 2005 VVSG, and to develop testing protocols based on that research to present to the Board at its next meeting.

After conducting significant research into modem testing, Board staff returned at the May 21, 2013 Board meeting with a recommended testing protocol for non-U.S. EAC certified voting systems where the underlying voting system received U.S. EAC certification to either the 2002 or 2005 Voluntary Voting System Guidelines (VVSG), but any additional modeming component will not meet the 2005 VVSG. The Board adopted these protocols and directed staff to proceed with testing of the Unity 3.4.0.1. Board staff conducted the testing of Unity 3.4.0.1 from July 9 to July 18, 2013. Based on the Wyle Laboratories report and Board

staff's own functional testing, the Board decided to grant conditional approval to Unity 3.4.0.1. This conditional approval allows for the sale and use of Unity 3.4.0.1 in Wisconsin, but requires purchasing municipalities to conduct acceptance and functional testing, successfully use the system in the 2014 spring elections, and conduct a post-election audit to verify their results. The Board plans to revisit this conditional approval at the May 2014 Board meeting to make a final determination on this system.

Also, Dominion Voting Systems (Dominion) requested approval of the BallotStation 4.6.4D software update to the AccuVote-TS/TSX as well as approval of a new memory card device to be used in the AccuVote-OS on May 29, 2013. Board staff considered these changes to be more than *de minimis* and rejected the initial application for approval. On July 2, 2013, Dominion resubmitted its request for approval. Board staff subsequently scheduled voting system testing and evaluation during the week of September 16, 2013. Pursuant to Wis. Admin. Code GAB § 7.02(1), Board staff conducted three mock elections with each component of the voting system. Board staff also conducted demonstrations of the equipment for the public and the Wisconsin Election Administration Council to obtain their feedback. Board staff presented its report at the October 2013 Board meeting and the Board approved the BallotStation 4.6.4D software and new memory device for sale and use in Wisconsin.

During this reporting period, Board staff has also explored the use of the Prime III voting system. The Prime III system was developed by Clemson University and is the result of a three-year, \$4.5 million project funded by the U.S. Election Assistance Commission to increase the accessibility of voting systems. At its August 2013 meeting, the Board directed staff to continue exploring the use of Prime III in Wisconsin and to develop a pilot program for potential use of the Prime III system at the April 1, 2014 nonpartisan election.

Voting equipment audits were completed after the 2012 Presidential and General Election pursuant to the Help America Vote Act (HAVA) and Wis. Stat. § 7.08(6), in order to determine that the error rate of voting systems in counting ballots was within acceptable limits established by the federal government. This audit was designed to assess how the electronic voting equipment performed on Election Day by comparing the system's vote totals with the actual ballots cast by voters to ensure the system maintains an accurate tally. These audits are required to be conducted publicly.

The G.A.B. ordered the audit of a random sample of each voting system that is currently in use in Wisconsin. In 2012, the G.A.B. selected 107 reporting units to fulfill the audit requirement. Board staff had previously conducted audits following the general elections of 2008 and 2010. Due to other agency priorities which arose following the 2008 and 2010 general elections, Board staff was unable to previously present reports summarizing those audit results and combined those findings with the report of the 2012 voting equipment audit. As the 2008-2012 Voting Equipment Audit report noted, voting equipment in Wisconsin, some of which is nearly twenty years old, continues to accurately record the votes of Wisconsin electors.

To promote continued compliance with Title III requirements and improve data quality, Board staff drafted an election administration event calendar and Statewide Voter Registration System (SVRS) checklists covering all regularly scheduled elections and shared these materials with local election officials in order to improve consistency amongst the 1,924 local elections officials. Board staff monitors local elections and progression of election administration milestones in SVRS. As part of its post-election activities, the G.A.B.

performed cross-system data analysis, comparing election statistics (GAB-190 Form) reported in WEDCS, Canvass results, and voter participation in SVRS. Staff worked with local clerks in reviewing and reconciling these data sources. Board staff provides technical assistance on a daily basis via phone and email to local election officials to maintain Title III compliance and improve the administration of elections in Wisconsin.

During the course of preparations and training for the 2012 Presidential and General Election, Board staff responded to numerous inquiries regarding the role of election observers and the requirements for certain voters to present a document proving their residence when registering to vote. To provide consistent and accurate advice, Board staff prepared a series of correspondence and educational materials regarding proof of residence issues and election observers. These informational memoranda and guides were provided to political parties and election observer groups, election officials, and made available to the public on the G.A.B. website.

For every statewide election, G.A.B. staff maintains special extended office hours to provide assistance to local election officials, candidates, and the public. Office hours are typically extended beginning the Wednesday before the election and continuing through the Friday following the election to address election-related concerns.

Board staff also provided targeted assistance to several local units of government to address unique local concerns such as student residency issues in college communities and compliance with the language requirements of § 203 of the Voting Rights Act during FFY-2013.

2. Improving the administration of elections for Federal office – § 101(b)(1)(B).

In March 2012, the Government Accountability Board was awarded a \$1.9 million grant from the U.S. Department of Defense, Federal Voting Assistance Program (FVAP) competitive grant to create an online absentee balloting system for military and overseas voters. G.A.B. technical staff, working in coordination with HAVA-funded staff, developed MyVote Wisconsin, a voter information website that also allows for online absentee ballot request and delivery for military and overseas voters. In addition to the online ballot request and delivery tools developed in accordance with the terms of the grant, this new system provides a wealth of information to voters on their voter registration status, absentee ballot status, sample ballot, polling place location, voting history, and provisional ballot status. The system also facilitates mail-in voter registration by allowing voters to fill in voter registration information, print a computer generated voter registration form with that information, and mail in the completed voter registration form. The data is saved in the SVRS, so when the local election official receives the mailed-in form, they can simply review and approve the pending voter application in the SVRS rather than having to manually enter the information on the form.

Automating certain SVRS functions for use by the voter is an effective tool in mitigating several problems that currently exist in interpreting and processing voter registration documents. Some of the most glaring and reoccurring challenges include deciphering handwritten information, contacting voters regarding missing information, hiring temporary staff to data enter the large volume of voter registration forms, and processing voter registration forms in a timely manner after Election Day. This manual process is costly for local election officials. It is anticipated that the availability of online-facilitated voter registration via the MyVote Wisconsin website will reduce the number of handwritten voter

registration forms that will need to be processed post-Election Day and thus reduce costs. Approximately ten municipalities have begun using MyVote Wisconsin in the polling place for voter registration during this reporting period to realize these savings.

This reporting period, MyVote Wisconsin received several updates to reflect changes in state law, better support the online ballot delivery system for military and overseas voters, and provide a better user experience. Board staff also received approval from the Federal Voting Assistance Program (FVAP) to reallocate grant funds to facilitate additional consulting to improve website usability and technical capabilities. In early 2013, staff completed the first post-election report for the FVAP grant, which is required after each general election. A highlight from that report was a finding that the average ballot transit time for My Vote Wisconsin ballots was about half of the transit time for ballots transmitted by traditional methods.

To ensure a problem-free November 2012 General and Presidential Election cycle, Board staff developed and launched a comprehensive education and training program for local election officials and voters which focused on the fundamentals of elections and voting in Wisconsin. This “Back to Basics” campaign supplemented the agency’s ongoing election preparedness effort. In addition to providing routine assistance to election officials and voters, the “Back to Basics” initiative resulted in the completion of significant special election preparedness projects in advance of the August Partisan Primary and November General and Presidential Election. Among the projects completed were the following:

- A comprehensive guide for voters and election officials on how to handle electronic forms of proof of residence.
- A guide for handling student residency requirements.
- A voter rights and responsibilities document.
- Several webinar trainings for local election officials reviewing a variety of policies and procedures, including absentee voting, voter registration, and polling place management.
- In-depth review of the quality of the data in the Statewide Voter Registration System to ensure that the poll books for the 2012 General and Presidential Election were as accurate as possible.
- Development of Voting 101 voter education materials and presentation, with staff invited to speak at five events at locations around the state.
- Creation of a “Voter Information Center” page on the G.A.B. website, which served as a central point of reference for all voter-related questions.
- A webinar training for law enforcement officials throughout the state regarding their role in assisting local election officials in maintaining order and security of polling places.

2012 was a record-breaking year for elections in Wisconsin with six statewide elections. In late 2012, local election officials voiced concerns through their professional associations that the workload had grown too large and procedures too cumbersome given their available staff and resources. In response, the Board created the Clerks’ Election Workload Concerns Task Force in August 2012. The group consisted of members of the Wisconsin County Clerks Association, Wisconsin Municipal Clerks Association, Wisconsin Counties Association, Wisconsin Towns Association, and the Wisconsin League of Municipalities. This group first met on October 18, 2012 and continued to meet periodically throughout the reporting period to discuss local election officials’ concerns and to develop recommendations to address these concerns.

The Board addressed these recommendations in March and May of 2013, accepting a variety of recommendations from the Task Force and endorsing several legislative changes that would improve election administration in Wisconsin. Board staff has implemented several of the Task Force recommendations, and implementation of other recommendations continues.

Board staff also researched the possibility of using the Systematic Alien Verification for Entitlements (SAVE) Program maintained by the United States Department of Homeland Security (USDHS), U.S. Citizenship and Immigration Services (USCIS) to improve data quality in the Statewide Voter Registration System. A research report was drafted and submitted to the Board at its December 2012 meeting. The Board directed that the report be submitted to the Wisconsin Legislature and Governor for further consideration as any use of the SAVE system would require revision of Wisconsin Statutes.

In response to a Legislative inquiry, Board staff researched the possible repercussions of the elimination of Election Day Registration (EDR) in Wisconsin. A preliminary report was drafted and submitted to Board at its December 2012 meeting with a final report delivered in March 2013. The report focused on the impact to state agencies and local election officials and estimated the cost to the G.A.B. at \$4,600,000 for initial implementation and initial implementation costs for other state agencies between \$8,000,000 and \$10,000,000, with ongoing costs of around \$5,000,000 per biennium. These costs are largely associated with the fact that repealing EDR would mean Wisconsin would no longer be exempt from the National Voter Registration Act and would need to institute voter registration opportunities at other state agencies.

Working toward uniformity and consistency of ballot format, staff designed a simpler, easier-to-read ballot. The new design was used successfully for the three special elections in 2013. Although the new design will be used statewide for the 2014 elections, consultation with a ballot design specialist is expected to improve ballot format further.

Board staff also began researching the possibility of using electronic poll books in Wisconsin. Wisconsin law already permits the use of electronic poll books, but requires that they be approved by the Board prior to use. In July 2013, a team of Board staff was formed to research a variety of questions related to the use of electronic poll books and to develop standards for testing and approval of an electronic poll book system. The team submitted an interim report to the Board at its December 2013 meeting with a final report due to be submitted in March 2014.

Board staff collaborated with the LaFollette School of Public Affairs at the University of Wisconsin – Madison to conduct two cost-benefit analysis projects. The first project compared online voter registration to the current paper-based registration system. The second project analyzed four policy options for conducting voter list maintenance using the National Change of Address (NCOA) system versus utilizing mass mailings, and conducting either list maintenance process at the state or local level. Final reports on both projects will be presented to staff in early 2014.

Board staff continues to develop an online application for processing common requests for voter data. This new website will allow candidates, political parties, and the general public to electronically request SVRS voter data including voter participation based on jurisdiction or district, participation in a particular election or elections, or absentee voters. Data request customers will be able to submit their requests and download the completed file from this

new website. The second phase of this project will add the ability to accept electronic payment for SVRS data, either by credit card or electronic funds transfer (EFT), and completely automating the entire process. The estimated completion date for all phases of this project is mid-February 2014.

G.A.B. IT staff began work in 2013 to participate in the national Voting Information Project (VIP), sponsored by the Pew Charitable Trusts. As part of the project, G.A.B. will be providing election related information such as polling places and sample ballot information so that search engines like Bing and Google can help educate voters on where to vote and what is on the ballot. The project is targeted to go live in time for the February 2014 Spring Primary.

During the reporting period, Board staff and Board-authorized trainers conducted approximately 86 training sessions with over 3,630 local election officials covering a range of election administration topics. Board staff also revised several training resources to reflect changes to the law and produced new materials to assist the public in understanding the registration and voting process.

During onsite accessibility compliance reviews/audits in 2012-2013, staff also performed a visual inspection of the security tags on voting equipment to verify that serial numbers on the Inspectors' Statement matched the machines and tamper-evident seals. During the audits conducted during this reporting period, staff saw a general improvement in compliance with security procedures. The most common deficiency continues to be lack of adequate recordkeeping.

Finally, HAVA § 101 funds were used towards administrative expenses, such as equipment leases, office space, and telephone costs for the HAVA-funded staff.

3. Educating voters concerning voting procedures, voting rights and voting technology – § 101(b)(1)(C)

The G.A.B has continued implementation of a comprehensive initiative focused on voter education and technical assistance. The goal of the initiative is to inform Wisconsin electors about important aspects of election law and their rights and responsibilities. Some of the highlights of this initiative to educate voters include:

1. The use of social media including Facebook and Twitter.
2. Development of voter education materials including a comprehensive frequently-asked questions list, quick explanatory brochures, and more substantive voting guides covering a wide variety of subject areas (voter registration, absentee voting, election-specific deadlines, etc.)
3. Recording of a voter education video entitled "Voting 101 – Back to Basics."
4. Development of a comprehensive Voter Information Center page on the agency website.

As part of Wisconsin's voting equipment testing and certification program, all voting equipment being considered for approval in Wisconsin is presented at a public demonstration. During this reporting period, the Unity 3.4.0.0, Unity 3.4.0.1, and AccuVote-OS/TS/TSX systems have been demonstrated to the public. For the first time, with the AccuVote testing campaign, Board staff conducted voting equipment testing and demonstrations outside of its office in Madison and instead chose to test and demonstrate the

equipment in the area of the state where the equipment is expected to be used, so as to provide additional opportunities for voters to become familiar with the voting equipment.

4. Training election officials, poll workers and election volunteers – § 101(b)(1)(D)

The G.A.B. continued to utilize webinar software to conduct election administration training sessions, host teleconferences and develop targeted training modules with its second series of webinars, “Building on the Basics.” The webinar training platform allows the G.A.B. to deliver effective, timely, and uniform training at a reduced cost. The training materials include written material and web-based video demonstrations. The video training tools allow local election officials to learn in a variety of formats and provide on-demand training opportunities.

Due to positive feedback from county and municipal clerks regarding this method of training, Board staff launched a new webinar training series that focuses on the Statewide Voter Registration System. Board staff also provided instructor-led and hands-on instruction on SVRS and voter data management for municipal clerks attending the Wisconsin Municipal Clerks and Treasurers Institute Program.

Board staff conducted 86 training classes for approximately 3,630 election officials, not including any training provided via on-demand online training. These classes ranged from classroom-structured in-person training, to large-scale teleconferences with hundreds of listeners at a time for refresher courses and updates on timely election subjects such as military and overseas absentee voting guidelines, common Election Day challenges and provisional ballot procedures. Election officials have the option to attend training live or review recorded webinars available for download from the G.A.B.’s website on-demand at no charge. To reduce costs, Board staff has focused on online training sessions instead of in-person classroom trainings. Board staff also attends and makes presentations at local election official annual conferences and district meetings. HAVA funds were used to print training materials and pay travel costs for agency staff.

Board staff also revised several election administration training resources to reflect changes to the law and produced new materials to assist the public in understanding the registration and voting process. Notable training resources developed or revised during this period include the Election Administration Manual, Election Day Manual, and Absentee Voting in Nursing Homes, Retirement Homes, and Adult Care Facilities manual.

Board staff also updated and published new versions of 19 of the 27 chapters in the SVRS Training manual during 2013. Additionally, two SVRS tutorial videos and companion documents were created to support some of the newly featured tasks within the CRM Election Data website. These new tutorials were integrated into the CRM Election Data website allowing clerks the convenience of watching the videos in conjunction with performing their tasks.

Finally, HAVA § 101 funds were also used to send state election officials to national workshops and conferences to improve election administration and work with national election administrators to better improve elections.

5. Improving the accessibility and quantity of polling places, including providing physical access for individuals with disabilities, providing nonvisual access for individuals with visual

impairments, and providing assistance to Native Americans, Alaska Native citizens, and to individuals with limited proficiency in the English language – § 101(b)(1)(G).

The Wisconsin Government Accountability Board (G.A.B.) provides ongoing information and assistance to municipalities that are considering opening additional (new) polling places or moving existing polling places to a new location. The primary goal of the G.A.B. continues to be 100% accessibility compliance at all polling places in Wisconsin.

Board staff is carrying out the next phase of the Polling Place Accessibility Survey project, which is completing the implementation of a web-based system containing accessibility information for polling places statewide. The system is in place for internal G.A.B. use and has been used in the field on tablet computers during the onsite accessibility survey process. There are many advantages to the new online format, including more accurate data, the ability to attach photos and a survey report, and grant tracking capability.

In December of 2012, the G.A.B. hired a full-time Elections Specialist to serve as the Accessibility Coordinator. The Accessibility Coordinator is responsible for managing the polling place audit program and working with the IT team to continue to develop and improve the electronic survey format and the larger web-based system.

Beginning with the November 6, 2012 Presidential and General Election and continuing through the April 2, 2013, Spring Election, Government Accountability Board staff and representatives, primarily temporary workers, took advantage of the four elections during the reporting period to conduct onsite accessibility compliance reviews. During this period, the Government Accountability Board conducted 554 onsite accessibility compliance audits, across 15 of Wisconsin's 72 counties, in 288 of Wisconsin's 1,852 municipalities.

Top findings of the 2013 accessibility compliance reviews include:

- Some polling places lack required election notices and/or those posted are not printed in 18-point font.
- Some polling places lack accessible parking spaces and/or have insufficient signage for accessible parking spaces.
- Some polling places have insufficient signage marking accessible entrances and accessible pathways.
- Some polling places had accessible pathways with breaks or edges where the height difference was larger than ½ inch.
- Some polling places have doors that require excessive force to open, lack lever door handles, and/or do not have an electronic feature such as an automatic opener, power-assist, or bell/buzzer.

The G.A.B.'s Accessibility Advisory Committee was reconvened in 2013 and membership was expanded to include representation from 10 different elderly and disability advocacy groups. Meetings were scheduled to correspond with the fall and spring election cycles with a plan adopted for a similar meeting schedule to continue in 2014. Board staff and representatives from several of the advocacy groups agreed to collaborate on several public education and public outreach projects for the 2014 election cycle.

Per requirements under Wis. Stats §5.25(4)(d), Board staff prepared and filed the *Impediments to Voting* report with the Wisconsin State Legislature. This report was also posted to the agency website and distributed to the media via press release. The report

provided a summary of the results from the 1,614 polling place accessibility audits conducted during the 2011-2013 filing period. It also outlines G.A.B. efforts to increase accessibility and compared the data from Wisconsin to available national statistics. The report was posted to the Presidential Commission on Election Administration website and the audit program cited as an example of “best practices” for use by election officials to increase physical accessibility of polling places.

To present a ballot audibly to a voter with visual impairments accessible voting equipment must be programmed with the correct pronunciation of candidate names. For the each State election during this reporting period, staff prepared a phonetic guide of candidate names.

2012 was also the first year that the City of Milwaukee was subject to Section 203 of the Voting Rights Act regarding Spanish language assistance in its election administration and documents. G.A.B. facilitated the translation of over twenty election administration forms and polling place notices from English to Spanish and created a surname analysis tool to assist the Milwaukee Election Commission (M.E.C.) in determining its need for bilingual poll workers. Board staff monitored Milwaukee’s 70 polling places designated for Section 203 compliance over the course of three elections in 2012, and provided feedback to the Commission. Board staff also observed a meeting of the M.E.C. Advisory Task Force that was created to solicit feedback on its language program from the Milwaukee community.

6. Establishing toll-free telephone hotlines that voters may use to report possible voting fraud and voting rights violations, to obtain general election information, and to access detailed automated information on their own voter registration status, specific polling place locations, and other relevant information – § 101(b)(1)(H).

The G.A.B. maintains a toll-free hotline (1-866-VOTE-WIS) to collect voter comments, questions, and complaints. During the reporting period, approximately 3,536 calls were received via this hotline.

Board staff also maintains the MyVote Wisconsin website, a voter information portal, to provide general election information, access detailed automated information regarding voter registration status, polling place location, and other relevant information. Voters may also provide comments or complaints via the website to report possible voting fraud, voting rights violations, or other violations. During the reporting period, 1,753 comments were received via the site. The most popular comments are typically:

- How do I change my address for voting?
- How do I change my name for voting?
- How do I find my polling place?
- How do I find a sample ballot?
- How can I remove a deceased relative from the poll book?

FEDERAL FINANCIAL REPORT

(Follow form instructions)

1. Federal Agency and Organizational Element to Which Report is Submitted United States Election Assistance Commission	2. Federal Grant or Other Identifying Number Assigned by Federal Agency (To report multiple grants, use FFR Attachment) 39.011 - Help America Vote Act (HAVA) Title I, § 101	Page 1	of 1
		1	pages

3. Recipient Organization (Name and complete address including Zip code)
Wisconsin Government Accountability Board, 212 E. Washington Ave., 3rd Floor, Madison WI 53707-7984

4a. DUNS Number 879324119	4b. EIN 06-1819765	5. Recipient Account Number or Identifying Number (To report multiple grants, use FFR Attachment) CDFA# 90-401	6. Report Type <input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annual <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final	7. Basis of Accounting <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual
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8. Project/Grant Period (Month, Day, Year) From: 4/10/2003 To: Until Disbursed	9. Reporting Period End Date (Month, Day, Year) 9/30/2013
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10. Transactions Cumulative

(Use lines a-c for single or multiple grant reporting)

Federal Cash (To report multiple grants, also use FFR Attachment):

a. Cash Receipts	
b. Cash Disbursements	
c. Cash on Hand (line a minus b)	

(Use lines d-o for single grant reporting)

Federal Expenditures and Unobligated Balance:

d. Total Federal funds authorized	\$	5,694,036.00
e. Federal share of expenditures	\$	4,169,119.66
f. Federal share of unliquidated obligations	\$	-
g. Total Federal share (sum of lines e and f)	\$	4,169,119.66
h. Unobligated balance of Federal funds (line d minus g)	\$	1,524,916.34

Recipient Share:

i. Total recipient share required	\$	4,622.06
j. Recipient share of expenditures	\$	-
k. Remaining recipient share to be provided (line i minus j)	\$	4,622.06

Program Income:

l. Total Federal program income earned	\$	1,746,925.83
m. Program income expended in accordance with the deduction alternative		
n. Program income expended in accordance with the addition alternative	\$	-
o. Unexpended program income (line l minus line m or line n)	\$	1,746,925.83

11. Indirect Expense	a. Type	b. Rate	c. Period From	Period To	d. Base	e. Amount Charged	f. Federal Share
					g. Totals:	0	0

12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation: Line 10i consists entirely of recipient program income, while line 10.l consists entirely of interest earnings.

13. Certification: By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and intent set forth in the award documents. I am aware that any false, fictitious, or fraudulent information may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)

a. Typed or Printed Name and Title of Authorized Certifying Official Michael R. Haas, Elections Division Administrator, Wisconsin Government Accountability Board	c. Telephone (Area code, number, and extension) (608) 266-0136
	d. Email Address Michael.Haas@wi.gov
b. Signature of Authorized Certifying Official 	e. Date Report Submitted (Month, Day, Year) December 30, 2013
	14. Agency use only: Standard Form 425 - Revised 6/28/2010 OMB Approval Number: 0348-0061 Expiration Date: 10/31/2011

Paperwork Burden Statement
According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is 0348-0061. Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0061), Washington, DC 20503.

STATE OF WISCONSIN
Wisconsin Government Accountability Board

HAVA, Title II, Section 251
Analysis & Description of Activities Funded
(October 1, 2012 – September 30, 2013)

In Wisconsin, elections are administered at the state level by the Government Accountability Board (G.A.B.), but are conducted at the local level by 1,924 local elections officials covering 72 counties and 1,852 municipalities.

During FFY-2013, the G.A.B. administered four state-level elections: three regularly scheduled elections including the 2012 Presidential and General Election, the 2013 Spring Primary, the 2013 Spring Election, and one special election to fill a vacancy in the State Senate. The G.A.B. also assisted in nine other local elections including local recalls, school district referenda, and special elections. There were also nine recounts, which were conducted by local election officials supported by staff. Over the reporting period Wisconsin used approximately 3,550 polling places and recorded votes in approximately the same number of reporting units.

During the reporting period, HAVA 101 funds were used to support six general purposes:

1. Meet the requirements of Title III – § 251(b)(1).

Wisconsin became fully compliant with Title III of HAVA on August 6, 2008. HAVA § 101 funds have been used to support various activities that are required to keep the State in compliance with Title III.

The Wisconsin Government Accountability Board (G.A.B.) has assembled a team of technical staff for applications development and support for G.A.B.'s IT systems, which is managed by G.A.B. staff. The IT team supports all Elections Division software applications including the Statewide Voter Registration System (SVRS), the voter information portal (MyVote Wisconsin), the Wisconsin Election Data Collection System (WEDCS), the Canvass Reporting System (CRS), the AccessElections! Accessibility Compliance System, the Provisional Ballot Tracking System, the Outstanding Absentee Reporting System, and the Ineligible Voter List, and develops any new IT tools the Elections Division may need. The team is presently working on an SVRS modernization strategy that will significantly boost performance and reduce operating costs.

Board staff installed updates to G.A.B. IT systems on several occasions during FFY-2013. These updates were for the following general purposes:

- Addition of new functionality
- General performance enhancements
- Resolution of technical issues with the software

The Canvass Reporting System (CRS) was updated this reporting period to further support local election officials by allowing for the upload of an election results file produced by the local municipality's election management software. This eliminates the need for costly and time-consuming data entry on Election Night while also removing a potential source of human error from the process.

The AccessElections! Accessibility Compliance System saw further improvements this reporting period as well. Board staff created an automated process to generate post-audit letters sent to local election officials after survey data is entered for their municipality. This automated process allows Board staff to accelerate the pace at which municipalities receive their post-audit reports from the G.A.B. and to more rapidly deploy solutions to any accessibility problems identified at the polling place.

MyVote Wisconsin (<https://myvote.wi.gov/>) serves as Wisconsin's comprehensive voter information portal and includes information on voter registration, absentee voting, election dates, polling place hours and location, sample ballots, elected official contact information, absentee ballot status, voting history, provisional ballot status, and other general information regarding voting. The MyVote Wisconsin site also facilitates voter registration by allowing voters to generate an electronic voter registration online, which is instantaneously logged in the SVRS, and can be quickly confirmed by the local election official once the signed original application is received. The MyVote Wisconsin site also hosts Wisconsin's military and overseas voter online ballot request and delivery system. This reporting period, MyVote Wisconsin received several updates to reflect changes in state law, better support the online ballot delivery system for military and overseas voters, and provide a better user experience.

The Ineligible Voter List system allows local election officials to access Department of Corrections' data on convicted felons currently under supervised release in the community. This online system allows local election officials to search statewide data for potential matches with new registrants and to print localized ineligible voter lists on demand. This system is more cost-effective and efficient than the former manual process of printing felon lists centrally and mailing them to their respective localities. Local election officials have applauded this new system to make the current process more effective and in some cases have eliminated the use of paper lists entirely through effective use of technology in the polling place to provide an entirely electronic check-in process.

The Wisconsin Election Data Collection System (WEDCS) is where local election officials provide a large variety of election-related statistics such as the number of registered voters in their municipality, the number of absentee ballots issued/returned/counted/rejected, etc. G.A.B. staff standardized the questions for the GAB-190 report into federal election and non-federal election versions, arranging the questions in a more logical order and making the forms always available online ahead of elections. The GAB-190 Help Guide revision now includes updated tutorials on completing the forms with more accurate and updated definitions.

Local election officials also submit actual election cost data (not estimates) through WEDCS. Cost data were gathered for four state-level elections during the reporting period. Municipal and county clerks reported cost data in eight different pre-determined categories for each election. The cost categories include notices, ballots, absentee, voting equipment, polling place, poll workers, other local election officials, and miscellaneous costs which clerks are asked to specify. Local election officials will also submit annual cost reports starting for 2014. The G.A.B. incorporates the collection of election costs into its business practices because these costs are a major component in providing meaningful reporting on election results and statistics. In addition, this information helps:

- Convey the complete cost of conducting elections to chief executives, governing boards, and voters.
- Develop budgets for elections.

- Prepare fiscal impact statements on pending election-related legislation.
- Predict election costs based on voting trends and projected turnout.
- Identify potential cost savings.

Local election officials continue to use the SVRS to validate voter registration information against Department of Transportation (DOT) and Social Security Administration (SSA) records, and confirm matches with Department of Corrections (DOC) felon information and Department of Health Services (DHS) death data. Local election officials process these “HAVA Checks” and confirm matches on a continuous basis during the course of their daily election administration tasks. This process has been followed since these interfaces first became functional in SVRS on August 6, 2008.

The State Vital Records office in the Department of Health Services (DHS) updated its vital records tracking system which allowed it to use more current technologies when providing death records to the G.A.B. G.A.B. IT staff was able to redesign the process to import those records into SVRS to make the process more stable and to replace antiquated middleware that was previously used. The death records provided to G.A.B. under the new system also include additional data that improves the quality of the data matches, and provides additional supporting information to help a clerk determine if a death record and a voter record are in fact related to the same person.

On behalf of Wisconsin’s 1,852 municipalities, the Board completed the statutorily required biennial voter list maintenance. Wisconsin Statutes § 6.50 (1) and (2) mandate the inactivation of voters who have not voted within the past four years. A mailing is sent to registered voters who have been qualified to vote for the past four years but who have not voted. Of the 299,748 postcards mailed by the Board, 105,667 were returned undeliverable, 16,652 postcards were returned requesting continuation of registration, and 177,422 postcards were not returned. The purpose of the biennial maintenance is to help Wisconsin maintain accurate and quality voter data, and make sure every voter’s name and address is correct and current, and to remove from poll lists the names of voters that no longer wish to vote.

For the 2012-2013 Four-Year Voter Record Maintenance, a new technology dashboard was developed to simplify the processing of returned postcards. The new dashboard which utilized Microsoft Dynamics CRM streamlined the process for providing clerks list of all voters who were mailed postcards as part of the biennial maintenance process. Clerks reported that the new dashboard was easy to use and reduced the time spent processing returned postcards.

Redistricting implementation continued through this reporting period. One of the first elections to use the new district information was the 2012 Presidential and General Election. Based on user feedback, Board staff developed a major overhaul of the mapping functionality of SVRS and continues to further refine the import process for loading new maps into SVRS. This new process for importing map files into SVRS should make future district changes less time-consuming to implement. Finally, to further support local election officials with mapping and districting concerns, the G.A.B. created and recruited for a new GIS Election Specialist position, which was filled during this reporting period.

Board staff has developed a GIS tool to improve the process of updating districts to account for annexations, school district boundaries, and sanitary district boundaries. This tool uses a step by step process to update boundaries received from local Land Information departments

into SVRS. It decreases the turnaround time for an annexation to be accurately reflected within SVRS. It also greatly decreases the IT resources required to update district boundaries in SVRS to accurately represent new changes.

G.A.B. staff also completed several tasks related to certification and performance of voting equipment during FYY-2013. On June 13, 2012, Board staff received an Application for Approval of Unity 3.4.0.0 from Election Systems and Software (ES&S). This application was initially rejected for noncompliance with state requirements. ES&S resubmitted a compliant Application for Approval of Unity 3.4.0.0 on December 18, 2012. Board staff scheduled voting system evaluations and demonstrations for ES&S during the week of February 11, 2013.

As required by Wis. Admin. Code GAB § 7.02(1), staff conducted three mock elections with each component of the voting system: a partisan primary, a general election with both a presidential and gubernatorial vote, and a nonpartisan election combined with a presidential preference vote. The mock elections offered an opportunity for staff to perform functional testing to ensure the system conforms to all Wisconsin requirements. Staff determined the results produced by the system matched the expected results from the test plan.

Following the mock elections, an evening public demonstration of the voting system was conducted February 13, 2013 and members of the public were able to use the system and provide comment. Also, on February 14, 2013 the Wisconsin Election Administration Council (WI-EAC), which is made up of municipal and county clerks, representatives of the disability community, and community advocates, participated in a demonstration by the manufacturer and evaluated the equipment.

At its March 20, 2013 meeting, the G.A.B. approved the Application for Approval of the Unity 3.4.0.0 system. This approval allows the system to be sold and used in Wisconsin as tested and certified.

ES&S also sought Board approval for Unity 3.4.0.1. However, Unity 3.4.0.1 lacks federal certification and will never receive it because ES&S had withdrawn it from the U.S. EAC testing and certification program and had informed Board staff that it would not re-submit it for review by the U.S. EAC. Unity 3.4.0.1 is a modification of the Unity 3.4.0.0 system that provides support for modeming of unofficial results from the polling place to a central server.

As ES&S requested approval of a system that was not anticipated to receive U.S. EAC certification, the Board directed staff to review the practices of other states in testing and certification of non-U.S. EAC certified voting systems where the underlying voting system received U.S. EAC certification to either the 2002 or 2005 Voluntary Voting System Guidelines (VVSG), but any additional modeming component will not meet the 2005 VVSG, and to develop testing protocols based on that research to present to the Board at its next meeting.

After conducting significant research into modem testing, Board staff returned at the May 21, 2013 Board meeting with a recommended testing protocol for non-U.S. EAC certified voting systems where the underlying voting system received U.S. EAC certification to either the 2002 or 2005 Voluntary Voting System Guidelines (VVSG), but any additional modeming component will not meet the 2005 VVSG. The Board adopted these protocols and directed staff to proceed with testing of the Unity 3.4.0.1. Board staff conducted the testing of Unity 3.4.0.1 from July 9 to July 18, 2013. Based on the Wyle Laboratories report and Board

staff's own functional testing, the Board decided to grant conditional approval to Unity 3.4.0.1. This conditional approval allows for the sale and use of Unity 3.4.0.1 in Wisconsin, but requires purchasing municipalities to conduct acceptance and functional testing, successfully use the system in the 2014 spring elections, and conduct a post-election audit to verify their results. The Board plans to revisit this conditional approval at the May 2014 Board meeting to make a final determination on this system.

Also, Dominion Voting Systems (Dominion) requested approval of the BallotStation 4.6.4D software update to the AccuVote-TS/TSX as well as approval of a new memory card device to be used in the AccuVote-OS on May 29, 2013. Board staff considered these changes to be more than *de minimis* and rejected the initial application for approval. On July 2, 2013, Dominion resubmitted its request for approval. Board staff subsequently scheduled voting system testing and evaluation during the week of September 16, 2013. Pursuant to Wis. Admin. Code GAB § 7.02(1), Board staff conducted three mock elections with each component of the voting system. Board staff also conducted demonstrations of the equipment for the public and the Wisconsin Election Administration Council to obtain their feedback. Board staff presented its report at the October 2013 Board meeting and the Board approved the BallotStation 4.6.4D software and new memory device for sale and use in Wisconsin.

During this reporting period, Board staff has also explored the use of the Prime III voting system. The Prime III system was developed by Clemson University and is the result of a three-year, \$4.5 million project funded by the U.S. Election Assistance Commission to increase the accessibility of voting systems. At its August 2013 meeting, the Board directed staff to continue exploring the use of Prime III in Wisconsin and to develop a pilot program for potential use of the Prime III system at the April 1, 2014 nonpartisan election.

Voting equipment audits were completed after the 2012 Presidential and General Election pursuant to the Help America Vote Act (HAVA) and Wis. Stat. § 7.08(6), in order to determine that the error rate of voting systems in counting ballots was within acceptable limits established by the federal government. This audit was designed to assess how the electronic voting equipment performed on Election Day by comparing the system's vote totals with the actual ballots cast by voters to ensure the system maintains an accurate tally. These audits are required to be conducted publicly.

The G.A.B. ordered the audit of a random sample of each voting system that is currently in use in Wisconsin. In 2012, the G.A.B. selected 107 reporting units to fulfill the audit requirement. Board staff had previously conducted audits following the general elections of 2008 and 2010. Due to other agency priorities which arose following the 2008 and 2010 general elections, Board staff was unable to previously present reports summarizing those audit results and combined those findings with the report of the 2012 voting equipment audit. As the 2008-2012 Voting Equipment Audit report noted, voting equipment in Wisconsin, some of which is nearly twenty years old, continues to accurately record the votes of Wisconsin electors.

To promote continued compliance with Title III requirements and improve data quality, Board staff drafted an election administration event calendar and Statewide Voter Registration System (SVRS) checklists covering all regularly scheduled elections and shared these materials with local election officials in order to improve consistency amongst the 1,924 local elections officials. Board staff monitors local elections and progression of election administration milestones in SVRS. As part of its post-election activities, the G.A.B.

performed cross-system data analysis, comparing election statistics (GAB-190 Form) reported in WEDCS, Canvass results, and voter participation in SVRS. Staff worked with local clerks in reviewing and reconciling these data sources. Board staff provides technical assistance on a daily basis via phone and email to local election officials to maintain Title III compliance and improve the administration of elections in Wisconsin.

During the course of preparations and training for the 2012 Presidential and General Election, Board staff responded to numerous inquiries regarding the role of election observers and the requirements for certain voters to present a document proving their residence when registering to vote. To provide consistent and accurate advice, Board staff prepared a series of correspondence and educational materials regarding proof of residence issues and election observers. These informational memoranda and guides were provided to political parties and election observer groups, election officials, and made available to the public on the G.A.B. website.

For every statewide election, G.A.B. staff maintains special extended office hours to provide assistance to local election officials, candidates, and the public. Office hours are typically extended beginning the Wednesday before the election and continuing through the Friday following the election to address election-related concerns.

Board staff also provided targeted assistance to several local units of government to address unique local concerns such as student residency issues in college communities and compliance with the language requirements of § 203 of the Voting Rights Act during FFY-2013.

2. Improving the administration of elections for Federal office – § 251(b)(2).

In March 2012, the Government Accountability Board was awarded a \$1.9 million grant from the U.S. Department of Defense, Federal Voting Assistance Program (FVAP) competitive grant to create an online absentee balloting system for military and overseas voters. G.A.B. technical staff, working in coordination with HAVA-funded staff, developed MyVote Wisconsin, a voter information website that also allows for online absentee ballot request and delivery for military and overseas voters. In addition to the online ballot request and delivery tools developed in accordance with the terms of the grant, this new system provides a wealth of information to voters on their voter registration status, absentee ballot status, sample ballot, polling place location, voting history, and provisional ballot status. The system also facilitates mail-in voter registration by allowing voters to fill in voter registration information, print a computer generated voter registration form with that information, and mail in the completed voter registration form. The data is saved in the SVRS, so when the local election official receives the mailed-in form, they can simply review and approve the pending voter application in the SVRS rather than having to manually enter the information on the form.

Automating certain SVRS functions for use by the voter is an effective tool in mitigating several problems that currently exist in interpreting and processing voter registration documents. Some of the most glaring and reoccurring challenges include deciphering handwritten information, contacting voters regarding missing information, hiring temporary staff to data enter the large volume of voter registration forms, and processing voter registration forms in a timely manner after Election Day. This manual process is costly for local election officials. It is anticipated that the availability of online-facilitated voter registration via the MyVote Wisconsin website will reduce the number of handwritten voter

registration forms that will need to be processed post-Election Day and thus reduce costs. Approximately ten municipalities have begun using MyVote Wisconsin in the polling place for voter registration during this reporting period to realize these savings.

This reporting period, MyVote Wisconsin received several updates to reflect changes in state law, better support the online ballot delivery system for military and overseas voters, and provide a better user experience. Board staff also received approval from the Federal Voting Assistance Program (FVAP) to reallocate grant funds to facilitate additional consulting to improve website usability and technical capabilities. In early 2013, staff completed the first post-election report for the FVAP grant, which is required after each general election. A highlight from that report was a finding that the average ballot transit time for My Vote Wisconsin ballots was about half of the transit time for ballots transmitted by traditional methods.

To ensure a problem-free November 2012 General and Presidential Election cycle, Board staff developed and launched a comprehensive education and training program for local election officials and voters which focused on the fundamentals of elections and voting in Wisconsin. This “Back to Basics” campaign supplemented the agency’s ongoing election preparedness effort. In addition to providing routine assistance to election officials and voters, the “Back to Basics” initiative resulted in the completion of significant special election preparedness projects in advance of the August Partisan Primary and November General and Presidential Election. Among the projects completed were the following:

- A comprehensive guide for voters and election officials on how to handle electronic forms of proof of residence.
- A guide for handling student residency requirements.
- A voter rights and responsibilities document.
- Several webinar trainings for local election officials reviewing a variety of policies and procedures, including absentee voting, voter registration, and polling place management.
- In-depth review of the quality of the data in the Statewide Voter Registration System to ensure that the poll books for the 2012 General and Presidential Election were as accurate as possible.
- Development of Voting 101 voter education materials and presentation, with staff invited to speak at five events at locations around the state.
- Creation of a “Voter Information Center” page on the G.A.B. website, which served as a central point of reference for all voter-related questions.
- A webinar training for law enforcement officials throughout the state regarding their role in assisting local election officials in maintaining order and security of polling places.

2012 was a record-breaking year for elections in Wisconsin with six statewide elections. In late 2012, local election officials voiced concerns through their professional associations that the workload had grown too large and procedures too cumbersome given their available staff and resources. In response, the Board created the Clerks’ Election Workload Concerns Task Force in August 2012. The group consisted of members of the Wisconsin County Clerks Association, Wisconsin Municipal Clerks Association, Wisconsin Counties Association, Wisconsin Towns Association, and the Wisconsin League of Municipalities. This group first met on October 18, 2012 and continued to meet periodically throughout the reporting period to discuss local election officials’ concerns and to develop recommendations to address these concerns.

The Board addressed these recommendations in March and May of 2013, accepting a variety of recommendations from the Task Force and endorsing several legislative changes that would improve election administration in Wisconsin. Board staff has implemented several of the Task Force recommendations, and implementation of other recommendations continues.

Board staff also researched the possibility of using the Systematic Alien Verification for Entitlements (SAVE) Program maintained by the United States Department of Homeland Security (USDHS), U.S. Citizenship and Immigration Services (USCIS) to improve data quality in the Statewide Voter Registration System. A research report was drafted and submitted to the Board at its December 2012 meeting. The Board directed that the report be submitted to the Wisconsin Legislature and Governor for further consideration as any use of the SAVE system would require revision of Wisconsin Statutes.

In response to a Legislative inquiry, Board staff researched the possible repercussions of the elimination of Election Day Registration (EDR) in Wisconsin. A preliminary report was drafted and submitted to Board at its December 2012 meeting with a final report delivered in March 2013. The report focused on the impact to state agencies and local election officials and estimated the cost to the G.A.B. at \$4,600,000 for initial implementation and initial implementation costs for other state agencies between \$8,000,000 and \$10,000,000, with ongoing costs of around \$5,000,000 per biennium. These costs are largely associated with the fact that repealing EDR would mean Wisconsin would no longer be exempt from the National Voter Registration Act and would need to institute voter registration opportunities at other state agencies.

Working toward uniformity and consistency of ballot format, staff designed a simpler, easier-to-read ballot. The new design was used successfully for the three special elections in 2013. Although the new design will be used statewide for the 2014 elections, consultation with a ballot design specialist is expected to improve ballot format further.

Board staff also began researching the possibility of using electronic poll books in Wisconsin. Wisconsin law already permits the use of electronic poll books, but requires that they be approved by the Board prior to use. In July 2013, a team of Board staff was formed to research a variety of questions related to the use of electronic poll books and to develop standards for testing and approval of an electronic poll book system. The team submitted an interim report to the Board at its December 2013 meeting with a final report due to be submitted in March 2014.

Board staff collaborated with the LaFollette School of Public Affairs at the University of Wisconsin – Madison to conduct two cost-benefit analysis projects. The first project compared online voter registration to the current paper-based registration system. The second project analyzed four policy options for conducting voter list maintenance using the National Change of Address (NCOA) system versus utilizing mass mailings, and conducting either list maintenance process at the state or local level. Final reports on both projects will be presented to staff in early 2014.

Board staff continues to develop an online application for processing common requests for voter data. This new website will allow candidates, political parties, and the general public to electronically request SVRS voter data including voter participation based on jurisdiction or district, participation in a particular election or elections, or absentee voters. Data request customers will be able to submit their requests and download the completed file from this

new website. The second phase of this project will add the ability to accept electronic payment for SVRS data, either by credit card or electronic funds transfer (EFT), and completely automating the entire process. The estimated completion date for all phases of this project is mid-February 2014.

G.A.B. IT staff began work in 2013 to participate in the national Voting Information Project (VIP), sponsored by the Pew Charitable Trusts. As part of the project, G.A.B. will be providing election related information such as polling places and sample ballot information so that search engines like Bing and Google can help educate voters on where to vote and what is on the ballot. The project is targeted to go live in time for the February 2014 Spring Primary.

During the reporting period, Board staff and Board-authorized trainers conducted approximately 86 training sessions with over 3,630 local election officials covering a range of election administration topics. Board staff also revised several training resources to reflect changes to the law and produced new materials to assist the public in understanding the registration and voting process.

During onsite accessibility compliance reviews/audits in 2012-2013, staff also performed a visual inspection of the security tags on voting equipment to verify that serial numbers on the Inspectors' Statement matched the machines and tamper-evident seals. During the audits conducted during this reporting period, staff saw a general improvement in compliance with security procedures. The most common deficiency continues to be lack of adequate recordkeeping.

Finally, HAVA § 101 funds were used towards administrative expenses, such as equipment leases, office space, and telephone costs for the HAVA-funded staff.

3. Meet the requirements under the Uniformed and Overseas Citizens Absentee Voting Act imposed as a result of the provisions of and amendments made by the Military and Overseas Voter Empowerment Act – HAVA § 251(b)(3).

Since the enactment of the Military and Overseas Voter Empowerment (MOVE) Act, Wisconsin has made significant legislative and administrative improvements to the election process to enhance voting opportunities for UOCAVA electors, in addition to implementing the federal requirements. At the urging of the Government Accountability Board (G.A.B), the Wisconsin Legislature moved the date of the fall Partisan Primary from the second Tuesday in September to the second Tuesday in August, and moved the date of the Presidential Preference Primary from the third Tuesday in February to the first Tuesday in April. These statutory changes removed a structural barrier to complying with the MOVE Act and were made to allow ballots to be delivered to UOCAVA voters in a timely manner.

However, to ensure military and overseas voters were given a sufficient amount of time to participate in the 2012 federal elections, the United States Department of Justice filed a lawsuit against the State of Wisconsin, which resulted in a consent decree being entered by the federal court imposing strict reporting requirements and requiring acceptance of late-arriving absentee ballots from military and overseas voters whose ballots were sent late. *United States of America v. State of Wisconsin*, et al., Case No. 12-CV-197 in the U.S. District Court, Western District of Wisconsin.

In the fall of 2012, the G.A.B. launched the MyVote Wisconsin website (<https://MyVote.WI.gov>) to allow military and overseas voters to request and access their ballots online, and to provide extensive information about the voting process. This online absentee ballot delivery system for UOCAVA voters was created with funds received from a \$1.9 million grant from the Federal Voting Assistance Program through the Electronic Absentee Systems for Elections (EASE) project. The highlights regarding the use of this new site during the 2012 Presidential and General Election include the following:

- 1,853 UOCAVA voters accessed their ballot through MyVote Wisconsin (3,496 requested ballots by email, fax or mail).
 - 1,388 Military voters accessed their ballot online (1,652 by email/fax/mail).
 - 475 Overseas voters accessed their ballot online (1,844 by email/fax/mail).
- More UOCAVA voters in Wisconsin accessed their ballot online through MyVote Wisconsin than by any other single means of ballot delivery (email, fax, or mail).
- MyVote Wisconsin significantly reduced absentee ballot transit time for UOCAVA voters.
 - Average transit time of 12 days using MyVote Wisconsin versus 25 days for all UOCAVA voters.
 - Average transit time of 11 days using MyVote Wisconsin versus 24 days for all military voters.
 - Average transit time of 15 day using MyVote Wisconsin versus 25 days for all overseas voters.
- Wisconsin UOCAVA voters did not experience a statistically significant difference in absentee ballot rejection rates between the ballots delivered online compared to traditionally delivered ballots (email, fax, or mail).
- The 2012 Presidential and General Election in Wisconsin experienced the lowest rejection rate for all UOCAVA absentee ballots in the last three general elections.

Board staff has continually communicated with municipal and county clerks to emphasize compliance with UOCAVA, and to provide assistance to proactively resolve any issues. Beginning in January 2012, Board staff sent 12 separate communications to local election officials explaining the ballot transmission and reporting requirements for military and overseas voters during the 2012 elections. Board staff verified that all 72 county clerks prepared and delivered the November election ballots to municipal clerks in time for the ballots to be transmitted by the deadline.

Pursuant to the consent decree, Board staff collected information regarding the transmission of absentee ballots to military and overseas voters and the return of those ballots. Board staff, along with temporary staff hired specifically to collect information regarding MOVE Act compliance, made hundreds of phone calls and repeat calls to 1,851 municipal clerks in order to obtain all information required by the consent decree reporting requirements. Board staff identified specific delivery problems and reported them to the U.S. Department of Justice. The G.A.B. also intervened in the small number of cases where ballots were sent out shortly after the 45-day deadline, and followed up with municipal clerks to verify that any ballots that had been mailed late had been delivered and that clerks subsequently tracked their return. In all, Board staff estimate that the G.A.B. dedicated well over 2,000 staff hours

ensuring compliance with the terms of the consent decree. This figure does not account for the time and effort that municipal and county clerks dedicated to serving UOCAVA voters.

While a total of four UOCAVA ballots were transmitted late for the 2012 Presidential and General Election, the protections provided under Wisconsin laws and the consent decree still afforded those voters at least 45 days to receive, vote, and return their ballots. Almost all UOCAVA ballots were transmitted timely, and Board staff continues to work diligently with municipal and county clerks to reinforce the importance of prompt ballot delivery in future elections for all voters, especially military and overseas electors.

On April 3, 2013, Board staff submitted a status report to the U.S. Department of Justice (USDOJ), fulfilling the final requirement of the 2012 MOVE Act Federal Consent Decree between the United States and the State of Wisconsin.

This reporting period, MyVote Wisconsin received several updates to reflect changes in state law, better support the online ballot delivery system for military and overseas voters, and provide a better user experience. Board staff also received approval from the Federal Voting Assistance Program (FVAP) to reallocate grant funds to facilitate additional consulting to improve website usability and technical capabilities.

FEDERAL FINANCIAL REPORT

(Follow form instructions)

1. Federal Agency and Organizational Element to Which Report is Submitted United States Election Assistance Commission	2. Federal Grant or Other Identifying Number Assigned by Federal Agency (To report multiple grants, use FFR Attachment) 39.011 - Help America Vote Act (HAVA) Title II, § 251	Page 1	of 1
		1	pages

3. Recipient Organization (Name and complete address including Zip code)
Wisconsin Government Accountability Board, 212 E. Washington Ave., 3rd Floor, Madison WI 53707-7984

4a. DUNS Number 879324119	4b. EIN 06-1819765	5. Recipient Account Number or Identifying Number (To report multiple grants, use FFR Attachment) CDFA# 90-401	6. Report Type <input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annual <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final	7. Basis of Accounting <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual
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8. Project/Grant Period (Month, Day, Year) From: 6/18/2004 To: Until Disbursed	9. Reporting Period End Date (Month, Day, Year) 9/30/2013
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10. Transactions Cumulative

(Use lines a-c for single or multiple grant reporting)

Federal Cash (To report multiple grants, also use FFR Attachment):

a. Cash Receipts	
b. Cash Disbursements	
c. Cash on Hand (line a minus b)	

(Use lines d-o for single grant reporting)

Federal Expenditures and Unobligated Balance:

d. Total Federal funds authorized	\$	48,296,088.00
e. Federal share of expenditures	\$	46,206,502.57
f. Federal share of unliquidated obligations	\$	674,057.35
g. Total Federal share (sum of lines e and f)	\$	46,880,559.92
h. Unobligated balance of Federal funds (line d minus g)	\$	1,415,528.08

Recipient Share:

i. Total recipient share required	\$	7,290,608.74
j. Recipient share of expenditures	\$	2,541,900.00
k. Remaining recipient share to be provided (line i minus j)	\$	4,748,708.74

Program Income:

l. Total Federal program income earned	\$	3,515,133.02
m. Program income expended in accordance with the deduction alternative	\$	-
n. Program income expended in accordance with the addition alternative	\$	-
o. Unexpended program income (line l minus line m or line n)	\$	3,515,133.02

11. Indirect Expense	a. Type	b. Rate	c. Period From	Period To	d. Base	e. Amount Charged	f. Federal Share
						g. Totals:	0

12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation: Line 10.i includes recipient program income and state match, while line 10.l consists entirely of interest earnings.

13. Certification: By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and intent set forth in the award documents. I am aware that any false, fictitious, or fraudulent information may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)

a. Typed or Printed Name and Title of Authorized Certifying Official Michael R. Haas, Elections Division Administrator, Wisconsin Government Accountability Board	c. Telephone (Area code, number, and extension) (608) 266-0136
	d. Email Address Michael.Haas@wi.gov
b. Signature of Authorized Certifying Official 	e. Date Report Submitted (Month, Day, Year) December 30, 2013
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KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

Date: For the January 14, 2014 Meeting

To: Government Accountability Board Members

From: Kevin J. Kennedy, Director and General Counsel

Subject: Policy on Per Diem Payments

Government Accountability Board Members are entitled to be reimbursed for their actual and necessary expenses incurred in the performance of their duties. Wis. Stat. §15.07(5). This generally includes mileage from their residence to the location of a Board meeting, meals, hotel and parking. In addition, Board Members are paid a per diem for each day on which they are “actually and necessarily engaged in the performance of their duties.” The per diem amount, \$449.61, is set by statute. Wis. Stat. §15.07(5)(m).

The practice of the Board has been to receive compensation for days on which Board members meet in person. For most teleconference meetings, the Board usually adopts a motion to decline its per diem. The Board has not adopted a policy authorizing a per diem for work done in preparation for a meeting. When the Board Chair or the designee of the Chair drives to Madison to sign an election canvass, the Board Member, by practice, has not been paid a per diem, but does receive reimbursement for mileage. Similarly, the practice has been to only reimburse travel expenses for new Board Members coming to an orientation with staff.

On occasion, the Board Chair has come to Madison or other locations to meet with staff, investigators or others related to a Board matter. In those cases, the Board Member has always been compensated for travel expenses, but does not always receive a per diem.

Some of the Board’s meetings, including teleconference meetings, have involved considerable preparation time because of the volume of materials presented to Board Members. In addition, there have been occasions where a Board member, usually the Chair, has spent several hours meeting with staff on an agency matter. In light of these factors, Board Members may want to discuss a more formal policy describing elements to consider in authorizing a per diem payment.

Attached is a draft policy that sets out considerations for authorizing a per diem payment for Board Members. The policy reflects current practices, but is meant to be a starting point for discussion.

Recommendation: The Government Accountability Board adopt a policy providing staff with direction on when to pay Board Members' per diem and expenses incurred in the performance of their duties.

Sample G.A.B. Policy on Board Member Payments for Per Diem and Expenses
(Based on Current Practice)

The Government Accountability Board directs its staff to process payments for Board Members' actual and necessary expenses incurred in the performance of their duties as permitted by law. Board Members shall also be paid a per diem for each day on which they are actually and necessarily engaged in the performance of their duties as permitted by law. Wis. Stat. §15.07(5). The Board or any individual member may choose to waive a per diem payment. Factors the Board may choose to consider in waiving a per diem payment include: the amount of time devoted to preparation and participation in a meeting, whether the meeting was conducted in person or by teleconference, or personal considerations of individual Board Members.

When the Board conducts a teleconference meeting, it may choose to waive its per diem by adopting a motion to that effect.

When the Board Chair or the Chair's designee travels to the agency offices or other location to sign a canvas pursuant to Wis. Stat. §7.70, the Board Member shall be reimbursed for travel expenses, but will not receive a per diem payment.

When a Board Member attends a meeting or legislative hearing on behalf of the agency, the Board Member shall be reimbursed for travel expenses, but will not receive a per diem payment unless the meeting or hearing lasts more than three (3) hours. (Note: This is a proposal that reflects the range of circumstances where a per diem was paid as opposed to just travel expenses.)

Note: The Board Chair is required to sign the official canvas following an election for state or federal office. This generally occurs on December 1st of even-numbered years, May 15th following a Spring election and approximately 15 days following the February Spring primary, August Partisan primary, a special primary or a special election event.