

State of Wisconsin\Government Accountability Board

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Chairperson

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Director and General Counsel

April 20, 2015

The Honorable Alberta Darling, Co-Chair
Joint Committee on Finance
Room 317 East, State Capitol
Madison, WI 53702

The Honorable John Nygren, Co-Chair
Joint Committee on Finance
Room 309 East, State Capitol
Madison, WI 53702

Subject: Government Accountability Board 2015-17 Biennial Budget

Dear Senator Darling and Representative Nygren:

Thank you for taking the time to meet with me recently to discuss several approaches to addressing Board Members concerns about the proposed budget for the Government Accountability Board. Following our discussions there remain a few key items that we request the Joint Committee on Finance (JCF) address when considering the agency budget.

These items are funding to support the IT activity of the Ethics and Accountability Division and funding to conduct the voter registration file maintenance confirmation mailings following general elections. In addition, we recommend that the JCF consider whether it wants to plan for the deployment of a voter information campaign in 2016 on the photo ID requirement.

Funding for Ethics and Accountability IT Support

We ask that JFC provide \$176,800 in GPR funding in each year of the budget for the G.A.B. to pay for IT related costs for the development and maintenance of software applications related to lobbying, statements of economic interests and campaign finance. In the alternative, we request you provide at least half that amount (\$88,400) to ensure continuity of the lobbying, campaign finance and statement of economic interests applications which are vital to the delivery of the agency's services to our customers.

In discussions with Committee Members the possibility of raising funds from the lobbying community was suggested. A return to the levels in place for the past two biennia would raise approximately \$96,400 in the biennium. Neither the Board nor the lobbying community has discussed the possibility of increased lobby fees as a means to pay for the lobbying-related IT costs of the agency. I have attached a memo that analyzes the current lobby fee revenue stream for your information.

Currently, the agency has a dedicated IT contract employee who is critical to the operation of the Ethics and Accountability Division. The G.A.B. has been able to fund this contractor through this point with budget savings, but without funding in this budget the agency will be unable to pay for

these services. The contractor plays a crucial role in developing and maintaining two of the Ethics Division's transparency websites:

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

Without this funding the agency will not be able to meet the expectations of its customers to provide access to lobby activity and facilitate the preparation of Statements of Economic Interests for more than 2,500 state public officials.

Funding for Biennial Maintenance of Voter Registration List

We ask that JCF restore \$96,900 in GPR funding in FY-17 to the agency budget for the costs of the voter registration file maintenance confirmation mailings or insert statutory language specifically authorizing the G.A.B. to collect the costs of voter registration mailings from municipalities. These are the costs for inactivating registered voters who have not cast a ballot in the past four years. 2013 Wisconsin Act 149 specifically directs the agency to conduct this process.

In the last legislative session the G.A.B. was charged with the responsibility of conducting the mailings for the four-year voter file maintenance. This task had been the responsibility of municipal clerks, but was not being consistently done by clerks prior to the implementation of the Statewide Voter Registration System (SVRS).

The Governor did not approve funding for the cost of this process. The agency will have to utilize \$96,900 in dwindling federal funds or find other ways to pay for this. One alternative is to provide the agency with clear authority to recoup the costs of the voter list maintenance from municipalities. While voter list maintenance can be done more efficiently by the G.A.B, ultimately the responsibility for voter list maintenance rests with municipalities, which should contribute to the cost of carrying out this responsibility.

Implementing a Voter Information Campaign on Photo ID

When the Legislature passed the Voter ID law, it directed the Government Accountability Board to conduct a public information campaign for the purposes of informing prospective voters of the voter identification requirement. 2011 Wisconsin Act 23, Section 144 (1). The public information campaign was to be conducted in conjunction with the first regularly scheduled primary and election at which voter identification would initially apply.

The G.A.B. designed a public information campaign funded by the Legislature for the 2012 election cycle. The agency began the campaign in January 2012, but shut it down before the April

Presidential Preference Vote and nonpartisan election because of court action enjoining implementation of the Voter ID law.

Committee Members may be interested in the most recent data on Voter ID from the Marquette poll. In response to the question "Will voters be required to present a government issued photo ID in order to vote in upcoming elections or will they not have to show a photo ID to vote?" - 65.5% of registered voters polled said yes while 28.5% said no, and 5.8 percent aren't sure.

It is not clear that the agency is required to conduct a public information campaign in 2016. If it is, there is no funding in the proposed budget for the G.A.B. to conduct a public information campaign for the purposes of informing prospective voters of the voter identification requirement. The agency had access to a limited amount of funding that it was poised to draw on, subject to JCF approval, had the voter ID requirement been in place for the November 2014 election. That money lapses on June 30, 2015.

The Government Accountability Board will discuss implementation of voter ID at its April 29, 2015 meeting. The 2016 election cycle includes the February spring primary with a possible statewide campaign for Supreme Court Justice, the April Spring election with the Presidential Preference Vote, the August partisan primary and the November general and presidential election. If the Legislature wants a public information campaign for the 2016 election cycle, this budget would be proper place to set aside funding for that endeavor.

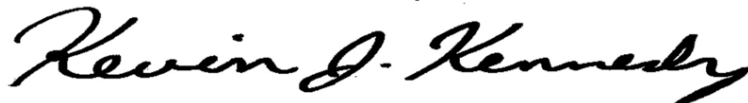
Conclusion

The focus of the current budget initiative is to streamline state government, making it more efficient and accountable. The Government Accountability Board has been ahead of the curve in this area. As a small agency with limited resources, the G.A.B. has delivered on a robust agenda that has engendered voter confidence, strong support from local election officials and has been nationally recognized for its services to voters and participants in the electoral process. We are requesting some minor accommodations to ensure our ability to deliver services to Wisconsin voters and taxpayers as directed by the Legislature.

We will be happy to work with you to implement our requests, especially if you wish to follow up on the voter ID informational effort.

Thank you for your consideration and favorable action on our requests for changes to the Governor's proposed budget.

Government Accountability Board



Kevin J. Kennedy
Director and General Counsel

Attachment: Lobbying Fee Trends

C: Joint Finance Committee Members
Government Accountability Board Members