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Assembly Committee on Campaigns and Elections

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Public Hearing

Chapters G.A.B. 11 & G.A.B. 12

Chairwoman Bernier and Committee Members:

Thank you for the opportunity to bring comment on your review of Chapters G.A.B.11 and G.A.B. 12, regarding local election officials' certification, qualifications and certification maintenance requirements. First, let me assure you approximately 310,000 notification postcards will be mailed to inactive voters within two months. I appreciate the chance to bring committee members up-to-date on current G.A.B. training efforts for municipal clerks and chief inspectors.

Wisconsin's election partners – county, municipal and school district clerks, chief and regular election inspectors, special registration deputies, special voting deputies, tabulators, greeters and members of the boards of canvassers – are entrusted with the responsibility of conducting open, fair and transparent election. The Board recognizes that qualified and properly trained election officials enhance the high quality and integrity of Wisconsin's elections by improving voter data, providing current and accurate information and carrying out elections in an efficient manner. The result of thorough election official training is that voters are confident and supportive of

Wisconsin's election process and are encouraged to participate and become more actively involved.

I will go through the comments you provided on aspects of G.A.B. Chapters 11 & 12 directly:

GAB 11.01(3) Certification Requirements

This section of GAB 11 requires the municipal clerk or Board of Election Commissioners to keep a record of each individual that has been certified by the Government Accountability Board as a chief inspector for the municipality. Wis. Stat. §7.30(6)(b) requires that a chief inspector be certified by the Board. Wis. Stat. § 7.31(4), provides for a baseline training class in order to be initially certified for the term. Training topics covered include pre-election preparations, voter qualifications, Election Day registration, counting ballots, processing absentee ballots and reconciling voter lists. Upon completion of the Baseline Chief Inspector training G.A.B. Board staff or a certified clerk-issues a certificate of completion for the municipal clerk to record and track for each chief inspector in each 2-year term.

The committee asked if public documents or any other documents are available. Municipal clerks are required to track chief inspector attendance at training sessions and keep accurate records with respect to each inspector's certification status. We also provide clerks with a sample spreadsheet for tracking this information.

GAB 11.02 (2) Qualifications

This section of the rule refers to the completion of an initial training course conducted under the direction of G.A.B. staff. The committee suggested that a test be administered with a minimum standard for certification of 50 percent. An examination as part of the certification of chief election inspectors would be contrary to Wis. Stat. §7.31(1), Training and certification of chief i inspectors, "The requirements shall not include taking an exam."

Our rules were meant to provide flexibility to local governments and provide ongoing training options.

GAB 11.02 (3) Expiration of Term

Under GAB 11.03(1), chief election inspectors are required to accumulate six hours of election training per term for recertification. Methods of achieving recertification include: approved training with the municipal or county clerk and WisLine or Webinar election administration training sessions conducted by Government Accountability Board staff.

Election inspectors are nominated to their respective governing boards in December of odd-numbered years and serve a term starting on January 1 of an even-numbered year through December 31 of an odd-numbered year. Chief election inspectors must accumulate the six hours of training before the end of their term in order to recertify for the following term.

GAB 11.03 (1) Certification maintenance

The committee asked if certificate maintenance of chief election inspectors is done. The Government Accountability Board approves training classes eligible for recertification.

Municipal clerks are required to record and track that training each term.

GAB 11.03 (2) Certification maintenance (to include a self-test, mock recount and extensive training on Election Day procedures and policies

We appreciate this suggestion. We are always looking for ways to include our training programs. This would be an excellent subject for an election administration training webinar to give municipal clerks another training tool. However, if it was required to be covered in the 3-hour Baseline Chief Inspector training class, we would either have to eliminate critical information we currently cover about basic Election Day duties and responsibilities or lengthen the duration of the class. The Baseline course does offer extensive training on Election Day registration policies and procedures. We have augmented the basic training we conduct with an election administration training webinar series that gets into these topics with more depth.

GAB 11.03 (2) (d) Certification maintenance

The committee asked why county clerks are not listed in addition to municipal clerks and

municipal board of election commissioners as providers of election training. When the rules were originally promulgated, the task of providing election training rested with the municipal clerks and the Government Accountability Board. But we recognize the vital training role played by county clerks, and it is routinely approved by the G.A.B. Director under GAB 11.03 (2)(f).

GAB 11.03 (2) (d) Certification maintenance

The committee has suggested adding “G.A.B. approved training. As a prerequisite of the rule, all training is approved by the G.A.B. Director.

GAB 11.04 Election Day responsibility

The committee refers to a log of poll workers/observers. It’s not clear what this refers to, but election inspectors are required to be listed on the Inspector’s Statement (GAB-104). Election observers are regulated under GAB Chapter 4.

GAB 11.05 Certification waiver

The committee has suggested allowing a municipality to obtain a chief inspector from a neighboring municipality in case of an emergency and eliminate the Government Accountability Board’s authority to approve using non-certified chief inspectors if needed. Under Wis. Stat. §7.30(2), election inspectors must be from the municipality and ward in which they serve. Only a clerk or a deputy clerk can be appointed and serve as an election inspector if they are non-residents.

Assembly Bill 18 and Senate Bill 20 would allow clerks to appoint election inspectors from anywhere in their counties. Also, the G.A.B. agrees with eliminating the requirement that clerks seek approval for using non-certified chief inspectors, but they should give us notice if they plan to do so.

GAB 12.03 Initial certification and renewal of certification

The committee suggests that self-testing of municipal clerks be required to obtain and retain

certification. Again, similar to testing of chief election inspectors, this would either require a legislative change to allow it or some type of evaluation with a score or pass/fail component.

GAB 12.04 Training content

The committee asked if there still is a need for a reference to military write-in ballots. This reference can be deleted.

GAB 12.04 Training content

The committee asks if a clerk or certified deputy clerk should be required to be available all day on Election Day. In some municipalities, clerks may work as an election inspector or chief election inspector if he or she is not on the ballot. Currently, deputy clerks are not required to be certified under state law and some municipalities can't afford to hire and train one.

The committee also suggests that the local clerk and poll worker/board of canvass be required to hold a mock recount as part of their training certification. Again, we agree that such a training exercise could be beneficial and we will add it to our list of future training topics. Providing mock recount materials supplies would need to be a budget item.