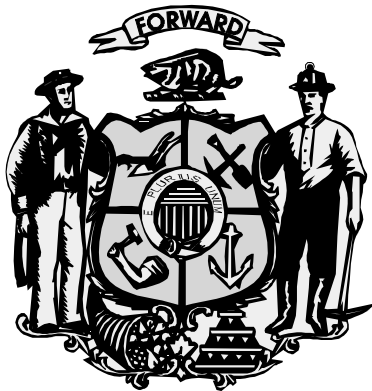


2011-2013
Biennial Report
of the
**Wisconsin
Government
Accountability
Board**



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Performance Report

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Introduction by the Director and General Counsel

The past two years at the Wisconsin Government Accountability Board (G.A.B.) have been both challenging and successful. The six-member, non-partisan panel of former judges and staff have worked tirelessly and under unprecedented conditions to continue Wisconsin's tradition of clean and open government through the administration of elections and ethics laws throughout the state. As the 2011-2013 Biennium commenced, the G.A.B. had already been tested with the first round of legislative recalls and a statewide recount for Supreme Court Justice. The following two years resulted in a significant increase in the amount of work required and accomplished by the agency, with no sign of the pace slowing anytime soon.

The 2011-2013 Biennium at the G.A.B. has been extremely busy. The G.A.B. continues to experience an unprecedented amount of work and challenges relating to both policy and logistics. Numerous policy changes and laws have affected the agency in the past two years. Namely, the Voter Photo Identification Law increased our workload and our need to reach out to our partners and the public, but was quickly put on hold by the courts. Logistically, the G.A.B. tackled statewide recall elections for the Governor and Lt. Governor, plus four State Senators.

Since 2011, the G.A.B. has made major improvements to our Eye on Lobbying website, made major improvements to the ways in which we communicate with our local election official partners, launched a new voter information website, improved the voter registration process, implemented redistricting maps, and conducted hundreds of accessibility surveys at polling places across the state. This does not include the daily requirements of the agency such as regularly scheduled elections, monitoring disclosure and compliance of campaign finance, public official's financial interests and lobbying within the state.

The 2013-2015 Biennium will undoubtedly bring more substantive challenges and achievements for the Government Accountability Board. I hope the following pages help you understand the charge and the challenges to Wisconsin's agency governing campaign finance, elections, ethics and lobbying.

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

Kevin J. Kennedy
Director and General Counsel

Government Accountability Board Overview

Agency Description

The Wisconsin Government Accountability Board (G.A.B.) is responsible for the administration and enforcement of campaign finance, elections, ethics and lobbying laws. It is comprised of six non-partisan members, each of whom must have formerly been elected to and served as a judge of a court of record in Wisconsin. Members are appointed to six-year terms by the Governor from nominations submitted by the Government Accountability Candidate Committee, which consists of four current Court of Appeals judges, one from each appellate district, who are selected randomly by the Supreme Court Chief Justice.

The non-partisan agency staff is headed by the Director and General Counsel, who also serves as the state's chief election officer. The agency is organized into two divisions: Elections, and Ethics and Accountability along with the Office of the Director and General Counsel.

In other states, elections and ethics are administered by elected or appointed partisan officials, or by bipartisan boards. The G.A.B. is unique to the United States, in that both the Board members may not hold another state or local public office (except as reserve judge), engage in partisan political activities, become a candidate for state or local elected office, make political contributions, or be a lobbyist or employed by a person who employs a lobbyist. They also have limitations on political activities and certain types of contributions both during and 12 months prior to a member's term. Board staff members must also be nonpartisan.

Mission

The mission of the G.A.B. is to enhance representative democracy by ensuring the integrity of the electoral process and to further Wisconsin's tradition of clean and open government through its administration and enforcement of Wisconsin's elections and ethics codes, campaign finance and lobbying laws, and dissemination of information to the public.

History

The Wisconsin Legislature established the G.A.B. in January 2007 through bipartisan passage of 2007 Wisconsin Act 1. Act 1 also abolished the former State Elections Board and State Ethics Board and merged the staffs within the new agency, with the exception of their executive directors.

In accordance with statutes, four members of the Government Accountability Board Candidate Committee were chosen. The committee selected 12 candidates and sent their names to Governor Jim Doyle for review. On June 6, 2007, the Governor appointed six of those candidates as G.A.B. members, and submitted three appointments to the State Senate and three to the State Assembly, which confirmed the appointments.

Original G.A.B. Members

Name	City	Term Expiration Date
The Honorable Michael Brennan	Marshfield	May 1, 2014
The Honorable Thomas Cane	Wausau	May 1, 2013
The Honorable David Deininger	Monroe	May 1, 2009 ¹
The Honorable William Eich	Madison	May 1, 2010
The Honorable James Mohr	Eagle River	May 1, 2011 ¹
The Honorable Gerald Nichol	Madison	May 1, 2012

¹ Judges Deininger and Mohr both resigned in April 2008 after it was discovered that even though they were no longer in office, their judicial term of office had not yet expired, which is a statutory requirement.

The original six G.A.B. members met for the first time on August 23, 2007, and began the nationwide search for a Director and General Counsel. The Board hired Kevin J. Kennedy, executive director of the Wisconsin State Elections Board, on November 5, 2007. On Mr. Kennedy's recommendation, the Board hired Jonathan Becker as Ethics and Accountability Division Administrator and Nathaniel E. Robinson as Elections Division Administrator.

On January 10, 2008, the G.A.B. staff was officially merged and began work as a new agency. During its first year, the Board began a statutorily-required review of formal opinions, administrative rules, guidance and internal operating procedures during which the Board could reaffirm them or allow them to expire. In January 2009, the agency consolidated its offices on the Third Floor of 212 East Washington Avenue, Madison.

The G.A.B.'s first full biennium (July 2009 to June 2011) was a period of transition in which the agency continued to establish itself as a unified agency in dealing with its customers, the Legislature and the public. While the agency had completed its required review of administrative rules, in the previous Biennium, there were numerous legal issues regarding new rules on campaign finance. The agency also embarked on an ambitious five-year election administration plan and a study of early voting procedures. Finally, in early 2011 the Board and its staff began dealing with the first wave of State Senate recall elections and a statewide recount in the election for Supreme Court Justice.

Board Operations

The six members of the G.A.B. serve six-year, staggered terms, so a new member is appointed each year. The Board typically holds six regular meetings each year, plus an organizational teleconference meeting in January during which the Board chair is chosen by lot, as required by statute. The vice chair and secretary for that year are also chosen by lot. The Board holds special meetings as needed.

Meetings of the Board are open to the public as required by the Open Meetings Law. At Board meetings, there is a four-vote minimum needed to pass any motion. In addition to acting on matters proposed by staff, the Board also sets aside time to hear testimony from members of the public on agenda items and other general concerns.

By statute, the Board is required to consider the following matters in closed session:

- Deliberating on requests for advice under the Code of Ethics for Public Officials and Employees, lobbying law, and campaign finance law

- Investigating possible violations of the Code of Ethics for Public Officials and Employees, lobbying law, and campaign finance law
- Conferring with counsel concerning pending litigation, and
- Considering the performance evaluation data of a public employee over which it exercises responsibility.

Board Members Serving During the 2011-2013 Biennium

Name	City	Term Expiration Date
The Honorable Thomas H. Barland ²	Eau Claire	May 1, 2015
The Honorable Michael Brennan	Marshfield	May 1, 2014
The Honorable Thomas Cane	Wausau	May 1, 2013
The Honorable David G. Deininger ³	Monroe	May 1, 2009
The Honorable Gerald C. Nichol	Madison	May 1, 2018 ¹
The Honorable Timothy L. Vocke ⁴	Rhineland	May 1, 2017

¹ Judge Nichol was reappointed to the Board in 2012.

² Board Chair in 2011

³ Board Chair in 2012

⁴ Board Chair in 2013

Board Action Summary 2011 - 2013

August 2, 2011 – Regular Board Meeting

Actions:

- Approved Draft Revised Guidance on Central Count Absentee Vote Locations
- Approved Revised Rulemaking Procedures
- Approved Actions Regarding Proposed Rule GAB 1.91

Full meeting materials: <http://gab.wi.gov/about/meetings/2011/august>

September 12, 2011 – Regular Board Meeting

Actions:

- Approved Statutory Interpretations of the Voter Photo ID Law
- Approved Use of Single-Signature Recall Petitions
- Approved Prioritization of Pending Administrative Rules
- Approved 2012 Meeting Dates

Full meeting materials: <http://gab.wi.gov/about/meetings/2011/september>

November 9, 2011 – Regular Board Meeting

Actions:

- Approved Use of Technical College IDs under the Voter Photo ID Law
- Upheld Use of Stickers for University and College ID Cards
- Approved Guidance on Effective Date of Redistricting
- Modified Policy on Preparation of Recall Petitions
- Approved Scope Statement for Administrative Rule GAB 1.28

Full meeting materials: <http://gab.wi.gov/about/meetings/2011/november>

December 5, 2011 – Special Board Meeting (Closed Session)

Meeting notice: <http://gab.wi.gov/about/meetings/2011/december-special-teleconference>

December 13, 2011 – Regular Board Meeting

Actions:

- Approved Recall Petition Processing Procedures
- Approved Procedures for Waukesha County Clerk
- Approved Guidance on Central Count Absentee Locations

- Approved Permanent Rule GAB 1.28 relating to the Scope of Regulation

Full meeting materials: <http://gab.wi.gov/about/meetings/2011/december>

January 12, 2012 – Regular Board Meeting (Teleconference)

Actions:

- Selected new Board Officers
- Delegated specific statutory authority to Director and General Counsel
- Approved Ballot Access Report
- Approved Scope Statement for Proposed Rule Permitting Use of Technical College Student Identification Cards for Voting

Full meeting materials: <http://gab.wi.gov/about/meetings/2012/january>

February 7, 2012 – Special Board Meeting

Actions:

- Approved Proposed Rule Permitting Use of Technical College Student Identification Cards for Voting

Full meeting materials: <http://gab.wi.gov/about/meetings/2012/february-special>

March 12, 2012 – Special Board Meeting

Actions:

- Denied General Challenges to State Senate Recall Petitions
- Denied Specific Challenges to Recall Petition against Senator Fitzgerald
- Denied Specific Challenges to Recall Petition against Senator Wanggaard
- Denied Specific Challenges to Recall Petition against Senator Moulton
- Denied Specific Challenges to Recall Petition against Senator Galloway
- Denied Governor Walker's Request to Consider as Challenges Information from Verify the Recall
- Directed Staff to Seek a One-Week Extension of Time to Determine Petition Sufficiency
- Took Action Regarding Potential Recall Petition Fraud

Full meeting materials: <http://gab.wi.gov/about/meetings/2012/march-12-special>

March 20, 2012 – Regular Board Meeting

Actions:

- Received Report Regarding Recall Petition Review
- Received Report Regarding Award of a \$1.9 million Federal Grant

Full meeting materials: <http://gab.wi.gov/about/meetings/2012/march>

March 30, 2012 – Special Board Meeting

Actions:

- Certified Recall Petitions in State Senate Districts 13, 21, 23 and 29
- Certified Recall Petitions of Governor Scott Walker
- Certified Recall Petitions of Lt. Governor Rebecca Kleefisch
- Approved Publication of a Searchable Database of Recall Petition Signatures

Full meeting materials: <http://gab.wi.gov/about/meetings/2012/march-30-special>

April 17, 2012 – Special Board Meeting

Actions:

- Denied Challenges to Nominating Petitions of Six “Protest” Candidates
- Approved Ballot Access Memo for Recall Election

Full meeting materials: <http://gab.wi.gov/about/meetings/2012/april-special-ballot-access>

May 15, 2012 – Regular Board Meeting

Actions:

- Approved Revised Central Count Absentee Guideline
- Approved Scope Statement on Single Signer Recall Petitions, GAB 2.05 (8)
- Approved Scope Statement on Use of Stickers on Student Identification Cards GAB 10.0x

Full meeting materials: <http://gab.wi.gov/about/meetings/2012/may>

June 8, 2012 – Regular Board Meeting

Actions:

- Approved staff recommendations to grant and deny ballot access to candidates for the 2012 Fall Election
- Approved staff report on ballot access issues
- Accepted informal status update on the migration of the Lobbying database

Full meeting materials: <http://gab.wi.gov/about/meetings/2012/june>

August 28, 2012 – Regular Board Meeting

Actions:

- Approved Ballot Access for Independent Candidates for President

- Approved Use of Electronic Proof of Residence Documents
- Approved Elections Systems & Software Request for Approval of Unity 3.2.0.0 Revision 3 Voting System
- Adopted 2013 Meeting Schedule
- Approved Agency's Proposed 2013-2015 Budget

Full meeting materials: <http://gab.wi.gov/about/meetings/2012/august>

October 23, 2012 – Regular Board Meeting

Actions:

- Reaffirmed Staff Guidance on Use of Electronic Proof of Residence Documents and Election Observer Issues
- Received Reports of Election Preparedness

Full meeting materials: <http://gab.wi.gov/about/meetings/2012/october>

December 23, 2012 – Regular Board Meeting

Actions:

- Received Report on Voting in the City of Racine
- Received Preliminary Report on Elimination of Election Day Registration
- Received Final Report on Use of Systematic Alien Verification for Entitlements (SAVE) Program to Maintain Statewide Voter Registration System
- Approved Change to Administrative Rule GAB 6.05(6) Regarding Filing of Duplicate Campaign Finance Reports

Full meeting materials: <http://gab.wi.gov/about/meetings/2012/december>

January 14, 2013 – Regular Board Meeting (Teleconference)

Actions:

- Selected new Board Officers
- Delegated specific statutory authority to Director and General Counsel
- Approved Ballot Access Report

Full meeting materials: <http://gab.wi.gov/about/meetings/2013/january>

March 20, 2013 – Regular Board Meeting

Actions:

- Accepted Final Report on Impacts and Costs of Eliminating Election Day Registration in Wisconsin

- Approved Elections Systems & Software Voting System Unity 3.4.0.0
- Approved Moving Forward with Development of a Process for Review of ES&S Voting System Unity 3.4.0.1 with Telecommunication Application
- Preliminarily Approved Revisions to Manual for Special Voting Deputies in Nursing Homes
- Accepted Reports from Clerks' Election Workload Concerns Task Force
- Authorized Staff to Seek Introduction of Legislation Raising Threshold for Campaign Finance Disclosure of Referendum-Related Activity

Full meeting materials: <http://gab.wi.gov/about/meetings/2013/march>

May 21, 2013 – Regular Board Meeting

Actions:

- Approved Testing Protocols for Voting Equipment
- Requested Attorney General's Opinion on Elections and Open Meetings
- Addressed Clerks' Concerns Task Force Recommendations
- Approved Changes to Manual for Absentee Voting in Nursing Homes, Retirement Homes and Adult Care Facilities

Full meeting materials: <http://gab.wi.gov/about/meetings/2013/may>

June 20, 2013 – Special Board Meeting (Closed Session)

Meeting notice: <http://gab.wi.gov/about/meetings/2013/special-teleconference-june-20>

Performance and Operation: Program Goals and Objectives

Performance Measures: 2011 and 2012 Goals and Actuals

Performance Measure	Goal 2011	Actual 2011	Goal 2012	Actual 2012
Monitor the number of contacts the public makes.	100,000	480,969	130,000	597,114
Monitor public satisfaction with the G.A.B. through the agency's complaint system.	100	1,527	12	773
Consult with local elections partners to determine voter satisfaction with Wisconsin's electoral processes.	4 consultations	11 consultations	3 consultations	12 consultations
Maintain data and records on the number of educational outreach activities, training and technical assistance provided to local elections partners and the general public.	75 activities	214 activities	220 activities	173activities
Number of contacts relating to requests for campaign finance information by Web site hits to campaign finance section.	25,000 contacts	66,348 contacts	50,000 contacts	82,524 contacts

Performance Measures: 2011 and 2012 Goals and Actuals (continued)

Performance Measure	Goal 2011	Actual 2011	Goal 2012	Actual 2012
Customer satisfaction.	Oral and written communications indicate lobbying organizations and officials will be satisfied with reporting mechanisms	Comments from lobbyists and lobbying organizations have been uniformly positive	Oral and written communications indicate lobbying organizations and officials will be satisfied with reporting mechanisms	Comments from lobbyists and lobbying organizations have been uniformly positive
Customer usage.	Web site usage among legislators, executive branch and citizens will remain high	Web site hits continue to demonstrate high usage (3,381,624 hits to site)	Web site usage among legislators, executive branch and citizens will remain high	Web site hits continue to demonstrate high usage (3,785,534 hits to site)
Impact.	The number and depth of publicity, analysis and commentary on information related to lobbying and financial interests of state officials will remain high	Interest remains high	The number and depth of publicity, analysis and commentary on information related to lobbying and financial interests of state officials will remain high	Interest remains high

Note: Based on fiscal year.

2013, 2014 and 2015 Goals

Performance Measure	Goal 2013	Goal 2014	Goal 2015
Monitor the number of contacts the public makes to G.A.B.	475,000	600,000	480,000
Monitor public satisfaction through media coverage through agency's complaint system.	500	800	500
Consult with local elections partners to determine voter satisfaction with Wisconsin's electoral processes.	14 consultations	15 consultations	15 consultations
Maintain data and records on the number of educational outreach activities, training and technical assistance provided to local elections partners and the general public.	200 activities	175 activities	200 activities
Number of contacts relating to requests for campaign finance information by Web site hits to campaign finance section.	55,000 contacts	65,000 contacts	65,000 contacts
Customer satisfaction.	Oral and written communications indicate lobbying organizations and officials will be satisfied with reporting mechanisms	Oral and written communications indicate lobbying organizations and officials will be satisfied with reporting mechanisms	Oral and written communications indicate lobbying organizations and officials will be satisfied with reporting mechanisms
Customer usage.	Web site usage among legislators, executive branch and citizens will remain high	Web site usage among legislators, executive branch and citizens will remain high	Web site usage among legislators, executive branch and citizens will remain high

Note: Based on fiscal year.

Performance and Operation: Program Goals and Objectives

Goal: *Ensure open, fair and transparent elections by cultivating public confidence in the integrity of the electoral process.*

- Provided educational, training and informational resources to elections officials, the Wisconsin electorate, and the general public.

Goal: *Foster ethical conduct of governmental officials, lobbyists and lobbying organizations.*

- Conducted training for newly elected legislators and for legislative staff on application of lobbying laws and standards of conduct for state officials
- Presented ethics training at the Judicial College
- Presented ethics training for cabinet secretaries and their key appointees

Goal: *Give timely advice on questions about the application of the ethics code and lobbying law.*

- Continued to meet or improve the timelines of responses to oral and written requests for advice and to ensure that the Board's opinions are reasonable and consistent.

Goal: *Identify for the public the businesses, organizations and individuals attempting to influence governmental decisions, the issues in which they have an interest, and other pertinent information.*

- Enhanced dissemination of information about interests in proposed legislation and rules.
- Maintained a subscription service for providing customized lobbying information.
- Permitted lobbyists and lobbying organizations to complete their semi-annual statement of lobbying activities and expenditures online.
- Launched a new, improved version of Eye on Lobbying, an online reporting application for lobbying registration, interest submission, and expenditure reporting

Goal: *Provide information about governmental officials' financial interests to confirm for the public the absence of conflicting interests or to identify conflicts meriting attention.*

- Maintained a searchable, online index to the personal financial interests of Wisconsin's governmental officials.
- Facilitated state public officials' completion of their Statements of Economic Interests by providing them with forms already containing information they previously filed.

Goal: *Investigate possible violations of the ethics code, campaign finance, and lobbying law and seek appropriate remedies or exoneration as circumstances warrant.*

- Completed investigations of alleged misconduct by public officials.
- Completed campaign finance audits of late reporting, excessive contributions, prohibited corporate contributions, and prohibited lobbyist contributions
- Completed investigations of alleged campaign finance violations outside of the regularly performed audit categories
- Responded to thousands of phone calls and emails related to questions of conduct.

Goal: *Provide the public with information about standards of conduct for governmental officials and lobbyists, lobbying efforts, campaign finance activities, and the G.A.B. activities.*

- Issued news releases regarding the ethics code and lobbying law.
- Maintained the Campaign Finance Information System (CFIS) for improved record keeping of candidates, committees and contributors, as well as campaign spending, donations and transfers.
- Presented material at several conferences to educate the community on campaign finance requirements.
- Attended regional and national conferences to learn best practices for the administration and enforcement of the ethics code, campaign finance and lobbying law.

Goal: *Attempt to assure that statutes, rules and proposed legislation are consistent with the furtherance of Wisconsin's tradition of clean and open government.*

- Reviewed the ethics code, campaign finance, and lobbying law to determine how the statutes should be modified to further the purposes of Wisconsin's Ethics Code, Campaign Finance law and Lobbying law.
- Identified and commented upon the effect that proposed statutes or rules would have on the Board's mission.

Goal: *Maintain a competent, enthusiastic Board and staff, sharing a common vision and goals.*

- Held weekly Division staff meetings to focus actions on upcoming events and issues.
- Encouraged and facilitated an active and engaged Board.
- Encouraged staff members' collegiality, initiative, and participation in the realization of the Board's mission and goals.

Goal: *Effectively use personnel, financial, and technological resources to enable the Board to excel at fulfilling its mission and goals.*

- Implemented ways to improve security and storage of the Board's documents.
- Provided staff with training.
- Tailored individuals' responsibilities to their abilities and the Board's needs.
- Continued to provide physical space and location that supports a productive work environment and is readily accessible to officials and lobbyists.
- Continued to identify new technologies that will, in a cost-effective manner, support the Board's goals.

Elections Division

2011-2013 Activities and Accomplishments

1. 2009-2014 Election Administration Plan

In 2008 and 2009 staff developed the Wisconsin 2009-2014 Election Administration Plan. The plan was designed to advance Help American Vote Act (HAVA) initiatives, but also to examine, review, explore and study protocols that will specifically and systemically improve the administration of elections in Wisconsin. The plan was approved by the Wisconsin Legislative Joint Committee on Finance in October 2009 and approved by the United States Election Assistance Commission in November 2009.

The following election administration initiatives identified in the Election Administration Plan have been accomplished:

a. Provide better notice to voters of the consequences of cross-party voting at a Partisan Primary.

The Notice of Effect of Crossover Voting at a Partisan Primary has been incorporated into the Type B Notice to Electors.

b. Efforts to reduce the wait-time for in-person absentee voting in municipal clerks' offices.

Staff created the Combination Absentee Ballot Application/Absentee Certificate Envelope, which streamlines the in-person absentee voting process by incorporating the action of requesting an absentee ballot into the action of voting the absentee ballot. The use of this envelope eliminates the requirement for the voter to complete an Application for Absentee Ballot before receiving a ballot. The voter is given a ballot and a Combination Absentee Ballot Application/Absentee Certificate Envelope in which to seal the voted ballot. By signing the envelope as required by law, the voter has also satisfied the statutory requirement to provide a written application for absentee ballot, thereby eliminating a time-consuming step.

c. Provide municipal clerks with “down time” in the days before the election in order to tend to last-minute election preparation and intake of mailed in ballots.

The elimination of absentee voting on the Saturday, Sunday and Monday before an election frees the municipal clerks to attend to the last-minute details of election preparation rather than focusing on absentee voting during the last days before an election.

d. Allow a facsimile signature on an absentee ballot request and eliminate the requirement to receive an original application in order for the ballot to be counted.

2011 Wisconsin Act 75 eliminated the requirement for an absentee ballot application sent electronically to contain a copy of the elector's signature. Upon receipt of the electronic

transmission, the voter is sent a ballot, whether or not the application contains a facsimile signature.

Staff's development of the Combination Absentee Ballot Application/Absentee Certificate Envelope eliminates the need for the voter to sign and submit the original application because the envelope serves as an application for absentee ballot as well as a certificate envelope. If the envelope is signed by the elector, the original application requirement is met.

e. Expand the geographic area in which an election inspector may serve.

Legislation is currently pending that would require inspectors to be residents of the county, rather than the specific municipality in which the inspector resides.

f. Allow the use of Electronic Poll Books at Wisconsin Polling Places.

The benefits of using Electronic Poll Books include increased efficiency and accuracy during the voter check-in process, reduced staff time when recording voter participation and the potential to provide a barrier to double voting. Staff is currently exploring the advantages and challenges of E-Poll Book implementation, and evaluating the overall sentiment of election officials with respect to the use of E Poll Books. Board staff will make recommendations to the Board regarding standards for approval of E Poll Books for use in Wisconsin.

g. Move up the date of the Partisan Primary to allow more time between the primary and the general election.

With a Partisan Primary on the second Tuesday in September, Wisconsin clerks had very little time between certification of the Partisan Primary results and the ballot printing deadlines for the General Election. The 2009 Federal Military and Overseas Voter Empowerment Act (MOVE), which requires at least 45 days' transit period prior to an election in which a federal office is on the ballot, forced passage of 2011 Wisconsin Act 75, which moved the Partisan Primary date from the second Tuesday in September to the second Tuesday in August. Moving the Partisan Primary to earlier in the year provided more time for county clerks to complete the primary canvass, allowed for better quality control and auditing of the primary results, and ensured ballot printing deadlines are met for the General Election.

2. 2011 and 2012 Elections

G.A.B. and local election officials administered and conducted a total of 18 state-level elections in FY 2012 and FY 2013. This includes six regularly-scheduled elections, six recall elections and six special elections to fill vacancies. In addition to recalls for 13 State Senators, G.A.B. and local election officials administered and conducted two statewide recall elections for the offices of Governor and Lieutenant Governor. The tables below show the elections conducted in 2011 and 2012 in consecutive order.

Date	Election Type				Office(s)				Pri.	Elec.	
	2011	Reg. Spring	Reg. Fall	Recall	Special	Gov.	Lt. Gov.	Senate			Assm.
02.18	X									X	
04.05	X										X
04.05				X				60, 94		X	
05.03				X				60, 83, 94			X
07.12			X				2, 8, 10, 14, 18, 32			X	
07.12				X				48		X	
07.19			X				12, 22			X	
07.19			X				30				X
08.09			X				2, 8, 10, 14, 18, 32				X
08.09				X				48			X
08.16			X				12, 22				X
10.11				X				95		X	
11.08				X				95			X

Date	Election Type				Office(s)				Pri.	Elec.	
	2012	Reg. Spring	Reg. Fall	Recall	Special	Gov.	Lt. Gov.	Senate			Assm.
02.21	X									X	
04.03	X										X
05.08			X		X	X	13, 21, 23, 29			X	
06.05			X		X	X	13, 21, 23, 29				X
08.14		X								X	
11.06		X									X
11.06				X			33			X	
12.04				X			33				X

Date	Election Type				Office(s)				Pri.	Elec.	
	2013	Reg. Spring	Reg. Fall	Recall	Special	Gov.	Lt. Gov.	Senate			Assm.
02.19	X									X	
04.02	X										X

In 2012, the G.A.B. reviewed approximately two million petition signatures for the recall of the state’s Governor, Lieutenant Governor and four State Senators. With no model available to address the scope of this unprecedented responsibility, the Board staff developed operating policies, procedures, and standards for quality control and successful review of the 2012 recall review process. This enormous and time-sensitive task was performed under the scrutiny and watchful eye of an interested and curious public via a live webcam video feed that was available worldwide.

3. Compliance with the Federal MOVE Act Consent Decree

The G.A.B. worked with the U.S. Department of Justice to ensure that Wisconsin’s military and permanent overseas voters were able to receive absentee ballots in a timely manner, in accordance with the 2009 Military and Overseas Voter Empowerment Act (MOVE), which requires at least 45 days of transit time prior to an election in which a federal office is on the ballot. The G.A.B. ensured

absentee ballot deadlines were met through a series of required reports and surveys of all municipal and county clerks. Surveys required in 2012 were completed before the April 2 Presidential Preference Primary, the August 14 Partisan Primary, and the November 6 Presidential and General Election regarding compliance with the transmittal of ballots to military and permanent overseas voters. G.A.B. staff spent thousands of hours compiling and reconciling survey results and reporting findings to the U.S. Department of Justice. Four reports were required before each election with three of those reports necessitating responses from all 1,851 municipal clerks. The G.A.B. also intervened in specific cases to facilitate voting by military and overseas voters.

4. G.A.B. Awarded a Federal Voting Assistance Program Competitive Grant

The G.A.B. was successful in preparing a \$1.9 million dollar nationally competitive grant application that was submitted to the U.S. Department of Defense, Federal Voting Assistance Program (FVAP), which was formally awarded on March 5, 2012. Grant funds enabled the G.A.B. to provide significantly improved customer services to Wisconsin's military and overseas voters by supporting the development of an online absentee ballot delivery system for these electors. This new system allows military and overseas voters to access their voter information and an absentee ballot online on their own schedule with immediate turnaround, and then return the ballot by mail. These improvements facilitate the state's capacity and ability to serve military and overseas voters more efficiently and effectively. The online absentee ballot delivery system also enables Wisconsin to comply with the Federal MOVE Act and with 2011 Wisconsin Acts 45 and 75 regarding the Presidential Preference Primary and the Partisan Primary. The online ballot delivery system is incorporated into the MyVote Wisconsin website.

5. MyVote Wisconsin Website

The MyVote Wisconsin website (<http://myvote.wi.gov>) replaced the former Voter Public Access (<http://vpa.wi.gov>) website in 2012. Registered voters may use this website to check on their voter registration status and make updates to their registration information. Citizens wishing to register to vote may fill in voter registration information online, and then print a registration form that can be signed and delivered to their local municipal clerk. The data is saved in the Statewide Voter Registration System (SVRS), which eliminates the need for municipal clerks to manually enter the data, improving efficiency and accuracy. Upon receipt of the printed form, the clerk simply reviews and approves the pending voter application in SVRS.

6. Voter Photo ID Law

2011 Wisconsin Act 23, the Voter Photo ID bill, became law on June 9, 2011. This legislation is one of the most sweeping change to election administration in Wisconsin's history. The Board staff made presentations to the Legislature and worked with the bill's authors starting in January 2011 until the bill became law. G.A.B. staff developed educational materials, tools and training for local election officials for administering the Voter Photo ID Law. The February 2012 Spring Primary was the only election for which the voter photo ID provisions were in effect. In March 2012, the photo ID provisions of 2011 Wisconsin Act 23 were enjoined by orders of two Wisconsin circuit courts. One of

those circuit court injunctions has been overturned by a court of appeals decision. Two federal lawsuits were also filed, and were awaiting trial at the end of the biennium.

7. Voter Photo ID Statewide Public Media Education/Informational Campaign

The G.A.B. hired an advertising agency to assist in crafting and branding a voter photo ID statewide public education and outreach campaign, which launched on January 2, 2012. The theme of the multimedia campaign was “Bring it to the Ballot,” and included television and radio public service announcements, outdoor billboards and printed materials. Because of the complexity of the law and the variety of acceptable photo IDs, the campaign urged the public to visit a dedicated website (Bringit.wisconsin.gov) or call a toll-free phone number, 1-866-VOTE.WIS (1-866-868-3947) for more information.

8. Voter Photo ID Speaker’s Bureau

The Speaker’s Bureau was created to launch a robust public outreach program initiative for Wisconsin electors who may have challenges obtaining a statutory ID. During the last half of 2011, staff gave more than 50 presentations to 1,500 participants. Participants included individual citizens as well as representatives of various advocacy organizations who used the information obtained at the seminars to ensure their constituents were educated on the requirements of the voter photo ID law and how they may comply.

9. Voter Photo ID Education/Training/Technical Assistance for Local Election Officials

Between August and the end of October 2011, G.A.B. staff educated more than 1,000 clerks across the state on all aspects of the voter photo ID law.

10. Other Legislative Changes

The G.A.B. also provided administrative guidance to local election officials and members of the public on major legislative changes to election law. Some of the most notable changes include:

- 2011 Act 227: Legislative change limiting persons who have completed an absentee ballot from voting at the polling place.
- 2011 Act 115: Legislative change to county and municipal canvassing procedures, provisional ballot information, recount petition deadlines and more.

11. Implementation of the 2012 Decennial Census Results (Redistricting)

The G.A.B. implemented the Wisconsin State Legislature’s new district boundaries resulting from the 2010 decennial census. Administration of the new districts included a complete revamp of the Statewide Voter Registration System (SVRS) to include mapping tools to assign voters to their respective districts. The new districts created as a result of redistricting were implemented in SVRS allowing clerks immediate access to the new districts without having to spend months manually updating address ranges and voter assignments.

12. 2012 Fall Election Strategic Planning Team

The stress of the 2011 and 2012 recall elections highlighted a number of election administration and polling place issues in Wisconsin. To ensure a problem-free Fall Election cycle, G.A.B. 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 our clerk partners and elector customers, 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 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.

13. AccessElections! Wisconsin Accessibility Compliance Program

G.A.B. Elections Division staff and contractors conducted accessibility compliance audits at 895 polling places during seven elections in 2012. Staff visited a total of 456 municipalities in 27 counties. Tablet PCs were incorporated into the audit process to enhance ability of the auditors to conduct audits more efficiently and at a reduced cost.

14. Assistance Rendered to the City of Milwaukee regarding Section 203 compliance

The G.A.B. assisted and advised the City of Milwaukee concerning compliance with its Spanish language designation under Section 203 of the federal Voting Rights Act. G.A.B. staff facilitated the translation of election administration forms and polling place notices from English to Spanish and created a surname analysis tool to assist the City of Milwaukee Election Commission in determining its need for bilingual poll workers. G.A.B. staff monitored Milwaukee polling places for Section 203 compliance over the course of three elections in 2012, and provided feedback to the Commission.

15. Election Cost Data Gathered as Part of Elections Statistics

For the first time, the G.A.B. staff worked with Wisconsin’s 1,851 municipalities and 72 counties to collect actual election cost data, instead of estimates. Cost data were gathered for five statewide elections during 2012. Municipal and county clerks reported cost data in 11 different pre-determined categories for each election. The cost categories include training, ballots, memory devices, programming of equipment, ballot bags, wages for local election officials, staff costs, polling place rental, notices, polling place documents, and miscellaneous costs which clerks are asked to specify. The G.A.B. incorporated the collection of election cost information into its business practices because these data are a major component for providing a complete reporting on elections results and statistics. In addition, this information:

- Helps municipalities and counties convey the complete cost of conducting elections to their respective chief executives, governing boards and voters.
- Assists municipalities and counties in preparing and budgeting for elections.
- Enables the G.A.B. to more accurately inform the Legislature whenever G.A.B. is asked to perform fiscal impact statements on pending and enacted election-related legislation.
- Enables the G.A.B. to inform the general public about the cost of conducting elections.
- Assists municipalities and counties in predicting election costs based on voting trends and projected turnout. Election cost information can also help identify potential cost savings.

16. Election Administration Research Studies

During the last quarter of 2012, the G.A.B. staff conducted two comprehensive studies on potential and proposed legislations that, if enacted by the Legislature and the Governor, would affect election administration in Wisconsin. Both studies were completed in December 2012.

First, G.A.B. staff researched 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). Staff developed a report that was submitted to members of the Board, and a State Senator who requested researching the SAVE initiative. This report provides the results of this research, as well as recommendations for how the SAVE program could be used in Wisconsin for the purpose of voter registration list maintenance.

In addition, a study was conducted by G.A.B. staff that determined the cost and administrative impact on elections in Wisconsin if Election Day Registration (EDR) was eliminated. This study included a detailed analysis of the fiscal and administrative impact of implementing requirements from the National Voter Registration Act (NVRA) if EDR were eliminated in Wisconsin. This report was submitted to members of the Board, the Legislature and the Governor.

17. Assessing the Integrity of Wisconsin's Voting Systems

Pursuant to the Help America Vote Act (HAVA) and Wis. Stat. § 7.08(6), the G.A.B. ordered the audit of a random sample of each voting system that is currently in use in Wisconsin. One hundred reporting units were selected and notified of the audit requirement. This audit is 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.

18. Greater Use of Technology

In 2012, the G.A.B. Information Technology (IT) team released multiple applications that significantly increased clerk efficiency, resolved issues and supported major initiatives. These IT program initiatives improved the election process for both election officials and voters across the state. Some of the most notable IT improvements include:

- An upgrade of the Canvass Reporting System (CRS) created a reliable process for reporting election night results. While the G.A.B. has encouraged all county and municipal clerks to consider using the expanded functionalities of the CRS for reporting unofficial election night results, clerks are not currently required to use the system on election night.
- The Department of Corrections (DOC) provides a list of persons who are currently ineligible to vote because of a felony conviction. Previously, the G.A.B. printed and sent Ineligible Voter Lists to municipal clerks for use in their offices prior to an election and at their polling places. Beginning with the April 3, 2012 Presidential Preference and Spring Election, the G.A.B. implemented an online system for distributing Ineligible Voter Lists to municipal clerks. The online system allows municipal clerks to print the required list on demand or search the online database instead of printing a paper list. The online system also enables clerks to access the most current DOC list possible whenever they need it, and has dramatically reduced the amount of paper required to print the lists. Providing municipal clerks with online access to the Ineligible Voter List, rather than printing and distributing paper lists, saves between \$10,000 and \$20,000 a year.
- The development of the MyVote Wisconsin Website: Please refer to Item 5 above.

19. Improved Delivery of Education and Training Programs to Clerks

The G.A.B. developed and utilized new webinar software to conduct election administration training sessions, host teleconferences and develop educational modules. This allowed G.A.B. staff to provide critical and up-to-date election administration information about current processes and procedures as well as rapidly changing legislative proposals and new state statutes. Election officials have the option to attend training live or to review recorded webinars available for download from the G.A.B. website on demand at no charge. Using a combination of certified clerk-trainers and live online webinars, the G.A.B. conducted 25 Municipal Clerk Core training classes for 360 new municipal clerks and staff and 81 Baseline Chief Inspector training classes for 1,990 chief inspectors. The webcasts were posted shortly after each training session for refresher training for municipal clerks and for poll worker training.

In addition, the G.A.B. produced major updates to three critical election administration manuals: the Election Administration Manual, the Election Day Manuals and the SVRS Manual. Staff also produced and distributed how-to videos on various election administration topics to local election officials.

20. Clerk Concerns Task Force

In October 2012 the Wisconsin Government Accountability Board formed an ad hoc inter-organizational committee to respond to concerns raised by election officials regarding the increasing workload associated with the administration of elections. The committee, made up of representatives from the Wisconsin County Clerks Association, Wisconsin Municipal Clerks Association, Wisconsin Towns Association, Wisconsin Counties Association, and the League of Wisconsin Municipalities, has met several times to discuss municipal and county clerk elections workloads and how the G.A.B. can

work with these organizations to minimize the burdens of election administration. The Board has adopted a number of recommendations of the Task Force and staff has worked to implement directives resulting from this process. The members of this group have also collaborated on joint legislative recommendations to promote effective election administration. The topics addressed in 2012 and 2013 include:

- Responsibility to conduct SVRS four-year maintenance
- Reporting of election statistical and cost data via the Wisconsin Election Data Collection System (WECS)
- Absentee voting process complexities
- Reporting annexations
- Handling public records requests
- SVRS-provider scope of services

21. Improved Services to Voters

The G.A.B. launched and continued development of a comprehensive initiative focused on voter education and technical assistance. The goal of the initiative was to inform Wisconsin electors about important aspects of election law and their rights and responsibilities. Some of the highlights of this initiative to get the word out to G.A.B. customers included:

- The use of social media including Facebook and Twitter.
- Development of voter materials including a reference guide on photo ID, a comprehensive document on election administration legislative impacts, and a voter rights and responsibilities document.
- Development and implementation of a speaker's series in which G.A.B. staff gave "Voting 101" presentations to voter groups across the state.

To further meet the needs of Wisconsin electors, the G.A.B. also developed two systems to aid in responding to customers in a more timely and efficient manner. The G.A.B. created a database for the improved management of customer complaints and one for managing public records requests.

Help America Vote Act Activities and Accomplishments

The federal Help America Vote Act of 2002 (HAVA) was born out of the controversy surrounding the counting of votes following the 2000 U.S. Presidential Election. Among the major components of HAVA were the elimination of punch card and lever voting systems, the requirement for each polling place to have at least one voting system that is accessible to individuals with disabilities, the requirement for each state to develop a single, uniform, computerized statewide voter registration list, and the establishment of minimum election administration standards across the nation.

In order to comply with the HAVA requirement for a computerized statewide registration list, the G.A.B. developed the Statewide Voter Registration System (SVRS). The system is an election administration tool

that not only houses the names of all Wisconsin registered voters, but also manages a variety of administrative functions such as the set-up of election contests and qualification of candidates, voter registration and absentee voting processes, polling place set up and poll worker scheduling.

G.A.B. staff prepares SVRS checklists for all regularly scheduled elections for use by local election officials before each election in order to improve consistency among the 1,924 local elections officials.

HAVA 101 and 251

Each state receives funding in order to achieve compliance with HAVA requirements. HAVA Sections 101 and 251 set out the various activities on which HAVA funds may be used or distributed as well as the conditions that must be met in order to be eligible for funding. In general, any expenditure of funds provided by HAVA must be used to improve the administration of elections.

Staff installed numerous updates to SVRS during FY 2012 and FY 2013. These updates made improvements to the varied systems used for election administration in WI:

- Ineligible voter lists – a new system allows local election officials to review and print lists of felons on probation and parole. In the past these lists had to be printed centrally and shipped statewide.
- Provisional ballot tracker – a new system allows local election officials to record provisional ballots that are issued at the polling place which provides voters the opportunity to check the status of these ballots online.
- Photo ID implementation – SVRS required many changes to implement the various requirements of the Voter Photo ID law.
- Election Costs tracking – a new system tracks the costs that local election officials incur to run elections.
- Canvass – improvements to the Canvass Reporting System increase usability for local election officials and to facilitate election night results reporting.
- MyVote Wisconsin – a new website gives Wisconsin voters a one-stop-shop for voting and voter registration. See Item 5 above for details.
- Redistricting – SVRS redesign uses GIS technologies to assign voters to districts in order to accommodate the Decennial Redistricting that resulted from the 2010 Census.
- Four Year Voter Record Maintenance – a new system facilitates the statutorily-required voter record maintenance that is done after every general election to identify voters who have not voted in a least four years.
- Recall Petitions – a new system facilitates the process of determining sufficiency for the special recall elections that occurred during this reporting period. The new system allowed staff to determine sufficiency of signatures as well as track signatures that were rejected at various points throughout the review process. Petitions were also posted on the G.A.B. website to allow citizen access.

Local election officials continue to use the SVRS to validate voter registration information against Department of Transportation and Social Security Administration records, and confirm matches with Department of Corrections felon information and Department of Health Services 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.

G.A.B. staff continued development of a new election integrity section on the agency website to collect voter comments and complaints, including allegations of election fraud. The G.A.B. also maintains a toll-free hotline (1-866-VOTE-WIS) to collect voter comments, questions, and complaints. This voter integrity section of the website complements the existing toll-free voter helpline.

In 2010 and 2011, G.A.B. staff conducted over 300 training classes to reach thousands of election officials. This did not include any training provided via on-demand online training. These classes ranged from classroom-structured election administration training, to large-scale teleconferences with hundreds of listeners at a time for refreshers and updates on timely election subjects. G.A.B. staff also created a series of web-based election training videos to educate election officials on changes to the law and demonstrate new SVRS functionalities.

In response to the changes imposed by the new Voter Photo ID law, more than 1,000 local election officials attended in-person seminars. In addition, G.A.B. staff conducted an extensive revision and update of the majority of our print and online training resources for local election officials.

G.A.B. staff worked with the legislature to move the September Partisan Primary to August to accommodate the federal Military and Overseas Voter Empowerment Act (MOVE), which requires ballots to be sent to these voters 45 days prior to a federal election. The Presidential Preference election was also moved from the February Primary to the Spring Election.

Many legislative changes took place during FY 2012 and FY 2013. These changes impacted mainly absentee balloting, canvassing of election results, photo identification requirements, residency requirements, voter registration, poll book requirements, straight party ticket elimination, challenge procedures at the polling place, redistricting, election notices, general election ballot access processes, and changes to special registration deputies.

HAVA 261

HAVA Section 261 relates to assuring access to the voting process for individuals with disabilities. The G.A.B. has previously distributed HAVA funds to municipalities for the purchase of handicap-accessible voting equipment for each polling place. Accessible voting equipment allows voters with various disabilities to vote privately and independently. The G.A.B. continues to strive for complete accessibility compliance at all polling places.

The G.A.B. staff has created a web-based system containing accessibility information for polling places statewide. This system consists of a database that houses a record for each polling place in the state. These

records consist of the results of the accessibility survey that each municipality is required to complete for each polling location in their jurisdiction.

In a program that is unique in the nation, G.A.B. staff, augmented by temporary workers, continued to conduct onsite Election Day accessibility compliance reviews to verify the information reported for each polling place. During 2011 - 2013, staff conducted 1,614 onsite accessibility compliance audits across 66 of Wisconsin's 72 counties in 921 of Wisconsin's 1,852 municipalities.

The polling place accessibility audit program has incorporated technological solutions to increase efficiency. These innovations include transferring the paper survey to an electronic format and using tablet computers to collect audit information. An automatic report generator has been developed which creates audit reports from the information housed in the database. G.A.B. staff provides local election officials with an audit report for each audit conducted in their municipality and they must respond to each audit finding and provide a plan to increase polling place accessibility.

The data gathered by the audit program has provided a baseline for polling place accessibility in Wisconsin. This information has been used to identify common problems with polling place set-up and accessible voting machines, and general problems with municipal and private facilities where polling places are located. Review of this data allowed Board staff to adjust the existing training protocol where appropriate and develop appropriate additional training resources. Comprehensive election administration related information has been added to the agency website, including a list of the most common accessibility audit findings, information on providing assistance to voters with disabilities and an outline of the curbside voting process (<http://gab.wi.gov/node/2858>).

In addition to providing this guidance, the G.A.B. has purchased accessibility-related supplies to assist local election and municipal officials with completing the necessary polling place changes. To date, the G.A.B. has sent out more than 2,400 supplies to 442 requesting municipalities. In addition to the problems remedied by this supply program, municipalities across the state have undertaken projects aimed at improving polling place accessibility in direct response to the result of a polling place audit.

As part of its HAVA 261 responsibilities, the Board provided assistance to the Wisconsin Disability Vote Coalition (WDVC) for the development of a basic guidebook for voters and groups interested in voter education and get-out-the-vote efforts. To assist its public outreach efforts leading up to the 2012 Presidential and General Election, the G.A.B. reimbursed the WDVC \$10,000 to pay for the design and printing costs for the 20-page voter information guide titled: *Voting in Wisconsin: A Guide for Citizens with Disabilities*. Spanish and Hmong versions of the guide were also created to assist voters whose native language is not English. In addition, the guide was posted to the G.A.B. website where it serves as a resource for voters with disabilities.

The G.A.B. is required to consult with appropriate advocacy groups representing the elderly and disabled populations in order to determine existing impediments to voting. Board staff has worked with advocacy groups to form an Accessibility Advisory Committee that partners with the agency to identify and remedy barriers that elderly and disabled citizens face when voting. The participation of advocacy groups on this committee provides the Board with insight and guidance from experts in the disability community and

perspective from citizens who are directly impacted by polling place accessibility and accessible voting issues. The Accessibility Advisory Committee has recently been reconvened with membership expanded to include representatives from 10 organizations. A preliminary meeting schedule was discussed with regular meetings that would coincide with the Spring and Fall election cycles. After consultation with the Committee, Board staff completed a statutorily-required report to the Legislature summarizing the status of impediments to voting for persons with disabilities. The report also described the G.A.B.'s accessibility audit program and other efforts aimed at improving the accessibility of polling places in Wisconsin.

Ethics and Accountability Division

Introduction

The Ethics and Accountability Division is responsible for three main areas: campaign finance, lobbying and ethics. At the discretion of the Board, division staff investigates and audits groups and individuals under these areas. The division is fully staffed and is comprised of the division administrator, five full-time division staffers, one three-quarter time staffer, and one full-time contract IT developer who works on all IT projects within the division under the supervision of the agency's IT director. Full staffing has allowed the division to focus on data entry of backlogged campaign finance reports, detailed campaign finance audits, lobbying system development and testing, and in-depth work on investigations and complaint follow-up. All members of the division staff continue to be cross-trained on the areas of law administered by the division.

Campaign Finance

All state-level candidates, political action committees, and party committees in the state are overseen by the Ethics and Accountability Division. At the heart of the division's work in this area is the Campaign Finance Information System (CFIS), an online database of all state candidates, committees and contributors, as well as their campaign spending, donations and transfers. CFIS contains campaign finance data from July 1, 2008 to the present. From 2011 to 2013, the G.A.B. campaign finance staff received and reviewed for completeness approximately 12,900 separate campaign finance reports filed by state candidates, PACs, conduits, county parties, legislative campaign committees, recall committees, referendum committees, sponsoring organizations, and independent disbursement groups. Eighteen state-level elections from July 1, 2011 to June 30, 2013 triggered an unprecedented number of required campaign finance reports as well. The campaign finance staff conducts the following audits on campaign finance data received through the many reports filed with our office:

- \$10,000 annual individual contribution limit
- Annual contribution limit for individuals
- Campaign period limit for committees
- Lobbyist contributions outside of the allowable window
- Corporate contributions
- Employer information for certain contributions
- Termination audits for non-continuing committees
- Audits of specific committees triggered by a complaint.

Accomplishments of the staff in this area include:

- Provided education, training and information to elections officials, candidates, the Wisconsin electorate and the general public

- Conducted 10 campaign finance law sessions in seven locations across the state (Madison, West Allis, Sturtevant, Green Bay, Wausau, Eau Claire and La Crosse) on registration, reporting, contribution limits, and duties of the local filing officer in 2013
- Completed campaign finance audits and investigations of alleged campaign finance violations outside of the regularly performed audit categories
- Presented material at several conferences to educate the community on campaign finance requirements
- Reviewed campaign finance law to determine how the statutes should be modified or interpreted.

Ethics

The ethics staff has been kept busy with the collection and processing of various financial disclosure forms required by statute. Each year, state officials are required to file a Statement of Economic Interests (SEI) that details various financial and employment information that assists the public in determining if a material conflict could exist between their job duties and the financial interests they maintain. Statements for these annual filers are due April 30 each year. Gubernatorial nominees to various state boards and commissions that require Senate approval must also file SEIs within 21 days of their nomination or appointment. Candidates for state office as well as municipal judges must file a statement within three days of the deadline for filing nomination papers for that office. In 2013, the Legislature required all staff in the Wisconsin Economic Development Corporation to file SEIs with the G.A.B. In all, approximately 2,500 statements are filed with the G.A.B. each year. Staff enters the financial information from each filer's previous year form and then provides filers a pre-printed form to assist the filer in only having to make updates to their financial information.

Statements of Economic Interests are public documents available upon request; however, statutes require requestors to identify themselves and provide contact information. In addition, they are required to disclose whether they are requesting the information behalf of another person, and identify that person. In turn, the G.A.B. notifies filers about who has viewed their statement. Staff regularly processes these requests – some small and some very large.

The ethics staff is also responsible for the collection of:

- State of Wisconsin Investment Board quarterly transaction reports (four times a year)
- Agency legislative liaison reports (twice a year)
- Solicitation of Funds or Items of Value report filed by the Department of Tourism and the Wisconsin Economic Development Corporation (filed annually).

Accomplishments of the staff in this area include:

- Conducted trainings for newly elected legislators and for legislative staff on standards of conduct for state officials

- Presented ethics training at the Judicial College (all of the state's judges must complete this training at least once every six years)
- Presented ethics training for cabinet secretaries and their key appointees
- Continued to meet or improve the timelines of responses to oral and written requests for advice about the ethics code and lobbying law, and to ensure that the Board's opinions are reasonable and consistent
- Maintained a searchable, online index to the personal financial interests of Wisconsin's governmental officials
- Facilitated state public officials' completion of their Statements of Economic Interests by providing them with forms already containing information they previously filed
- Completed investigations of alleged misconduct by public officials
- Responded to phone calls and emails related to questions of conduct
- Reviewed the ethics code to determine how the statutes should be interpreted to further the purposes of Wisconsin's Ethics Code.

Lobbying

Similarly to campaign finance, the Ethics and Accountability Division is responsible for overseeing all lobbying at the state level in Wisconsin. Since 1997, the state has maintained an online database of lobbying activities which allows the public to monitor efforts to influence the Legislature in real time. In 2012, G.A.B. staff launched a new and enhanced version of the Eye on Lobbying information system. The new website was used for reporting real-time interests for the final six-month reporting period of the 2011-2012 legislative session and the first six-month reporting period for 2013-2014 legislative session. It was also used for filing the Statement of Lobbying Activities and Expenditures reports for each reporting period. The new website offers online registration for lobbying principals and lobbyists wishing to obtain a license. The website offers e-payment for the required fees as well as auto-generation of invoices for those wishing to pay by cash or check. Before launching the website, staff conducted demonstrations and received feedback from the public, legislators and their staffs, and the Association of Wisconsin Lobbyists. G.A.B. staff remains committed to making the site as user friendly as possible and intends to incorporate much of the valuable feedback that has been received since its launch.

Lobbying by the Numbers

For the 2011-2012 legislative session:

- 764 organizations registered as lobbying principals
- 665 single client lobbyist licenses were issued
- 135 multiple client lobbyist licenses were issued
- 1,752 lobbyist authorizations were issued by lobbying principals.

For the 2013-2014 legislative session as of May 10, 2013:

- 644 organizations registered as lobbying principals
- 466 single client lobbyist licenses were issued
- 110 multiple-client lobbyist licenses were issued
- 1,202 lobbyist authorizations were issued by lobbying principals

Accomplishments of the staff in this area include:

- Conducted five public trainings on the new Eye of Lobbying website in addition to numerous one-on-one trainings
- Conducted trainings for legislators, legislative staff and state agency officials on application of lobbying laws and standards of conduct for state officials
- Enhanced dissemination of information about interests in proposed legislation and rules
- Provided feedback on proposed lobbying law changes and how the statutes should be modified.

Investigations

The Ethics Division has broad authority to investigate potential violations of law contained in Chapter 11, Chapter 13, subchapter III, Chapter 19, subchapter III, *Wisconsin Statutes*. These chapters cover campaign finance, lobbying, ethics of public officials, and financial disclosure requirements and deadlines. The majority of investigations conducted by the ethics division are initiated by a complaint from an interested party. By statute, investigative work done by the Ethics Division is by and large confidential. The Ethics and Accountability Division Administrator and other ethics staff members have spent a great deal of time on investigations and complaints.

Forfeitures

As a result of its investigations and audits, the Ethics Division collected forfeitures during the 2011-2013 Biennium totaling \$70,350.50 for the following violations:

- Late filing of Statement of Lobbying Activities and Expenditures reports
- Late reporting of lobbying interests
- Exceeded the annual aggregate campaign contribution limit
- Exceeded campaign period contribution limit to candidate
- Acceptance of corporate contribution by candidate committee
- Improper solicitation of political service via government email
- Improper lobbyist campaign contribution
- Late filing of Statement of Economic Interests
- Acceptance of campaign contributions over allowable limits
- Disbursement of contributions to candidate over allowable limits.

Office of Director and General Counsel

The Office of Director and General Counsel encompasses the agency's leadership, legal, administrative and public information functions.

2011-2013 Activities and Accomplishments

Director and General Counsel

[Wis. Stats. § 5.05\(1m\)](#) provides that the Board “shall employ outside the classified service an individual to serve as legal counsel who shall perform legal and administrative functions for the Board.” The Board has given its legal counsel the title of Director and General Counsel. The Director and General Counsel serves as Wisconsin's Chief Elections Official.

For details of the Director and General Counsel's activities, see the Board Action Summary 2011-2013, on page 7 of this report for links to Board materials for each meeting, which contain an Administration Report listing activities and accomplishments.

Highlights

During the 2011-2013 Biennium, the G.A.B. received numerous honors and recognitions:

- Wisconsin was ranked #1 in the nation for election administration in November 2008 and #8 for November 2010 by the Pew Charitable Trusts' Elections Performance Index:
<http://www.pewstates.org/research/reports/elections-performance-index-85899445029>
- The G.A.B. was nominated in 2012 for the American Bar Association Hodson Public Service Award by the Wisconsin Government Lawyers Board of the Wisconsin Bar Association.
- The agency was singled out as “America's Top Model” for nonpartisan election administration in a paper by Professor Daniel Tokaji of Moritz College of Law at Ohio State University:
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2201587
- The agency was the subject of a chapter in the book *From Registration to Recounts Revisited: Developments in the Election Ecosystems of Five Midwestern States*, by Steven F. Huefner, Daniel P. Tokaji, & Edward B. Foley with Nathan A. Cemenska. According to the authors: “Building on this foundation, Wisconsin has improved in important respects since the publication of our previous book. Its new state election authority, the Government Accountability Board (“GAB”), has proven itself to be a model of nonpartisan election administration that other states would do well to emulate. Since our 2007 study the state has restructured this office, completed its statewide voter registration database, and improved the quality of election administration in Milwaukee.”
<http://moritzlaw.osu.edu/electionlaw/analysis/index.php?ID=8449>

Legal

In addition to the Director and General Counsel, the Government Accountability Board has two full-time staff counsel attorneys who provide legal counsel and support to the Board members and the agency staff. During the last six months of the biennium, one of the two staff counsel positions was vacant due to a promotion.

Under the general policy direction of the Director and General Counsel, staff counsels are responsible for providing legal advice on the application of campaign finance, election, ethics and lobbying laws to the Board and its staff along with authoritative and timely advice and information to political registrants, state and local election officials, state public officials and the general public. They are responsible for preparing legal opinions, enforcement orders and administrative rules to implement agency policy and authority. They are also responsible for agency investigation and enforcement of campaign finance, election, ethics and lobbying law violations. Finally, they serve as part of the agency enforcement team along with the Director and Division Administrators.

Highlights

During the 2011-2013 Biennium, the Board members and the agency were defendants in a large number of state and federal lawsuits involving the Voter Photo ID law, campaign finance regulations, recall of elected officials, Legislative redistricting, and implementation of the Military and Overseas Voter Empowerment Act. Staff counsels worked closely with attorneys for the Wisconsin Department of Justice who defended the Board in court. Cases defended include:

- *League of Women Voter of Wisconsin Education Network, et al., v. Scott Walker, et al.; Milwaukee Branch of the NAACP et al., v. Scott Walker et al.*, Dane County Circuit Court Case No. 11CV5492 (voter photo ID)
- *Frank et al., v. Walker et al., Eastern District of Wisconsin*, Case No. 11-CV-1128 (voter photo ID)
- *Bettye Jones, LULAC of WI, et al. v. G.A.B. Board, et al.*, Eastern District of Wisconsin, Case No. 12-CV-185 (voter photo ID)
- *Wisconsin Right to Life PAC v. G.A.B., et al.*, Eastern District of Wisconsin, Case No. 09-CV-761 (Impartial Justice Act)
- *Randy Koschnick v. Kevin Kennedy, et al.*, Eastern District of Wisconsin, Case No. 09-CV-767 (Impartial Justice Act)
- *Hatchett v. Eich, et al.*, Eastern District of Wisconsin, Case No. 10-C-0265 (constitutionality of campaign reporting requirements for local referendum groups)
- *Wisconsin Club for Growth, Inc., et al. v. Gordon Myse, et al.*, Western District of Wisconsin, Case No. 10-427 (campaign finance laws, GAB 1.28)
- *Wisconsin Right to Life Committee, Inc. et al. v. Gordon Myse, et al.*, Eastern District of Wisconsin, Case No. 10-C-669 (campaign finance)
- *Wisconsin Prosperity Network v. Gordon Myse, et al.*, Wisconsin Supreme Court, Case No. 10-AP-1937-OA (campaign finance, GAB 1.28)

- *Voces de la Frontera, Inc. et al. v. Brennan, et al.*, Eastern District of Wisconsin, Case No. 11-C-1011 (redistricting)
- *Baldus, et al. v. Brennan, et al.*, Eastern District of Wisconsin, Case No. 11-C-562 (redistricting)
- *Friends of Scott Walker et al. v. G.A.B. et al.*, Waukesha County Circuit Court, Case 11CV4195 (recall)

Administrative Services

The Government Accountability Board's Administrative Services Section operates within the Office of the Director and General Counsel. The section consists of five full time-equivalent employees, headed by the Chief Administrative Officer. The section provides a wide array of administrative support services to the entire agency, including:

1. Financial Management
 - The development of the agency's biennial budget (\$11,088,900)
 - The development and management of the agency's annual operating budget which consists of three General Purpose Revenue appropriations, three Program Revenue appropriations and one Segregated Revenue Federal appropriation (see 2011 Wisconsin Act 32 for complete budget breakdown).
2. Purchasing/Procurement
 - In FY-11 and FY-12 procured several information technology services contractors to meet G.A.B.'s IT needs utilizing the state's IT Services Contract.
 - In FY-12 procured more than 50 temporary services personnel to assist in processing recall petitions through the state's temporary services contract.
 - In FY-12 procured the services of an advertising firm via competitive bid to create the ad campaign for Voter ID using an existing state contract.
3. Grants Management
4. Liaison to the State Budget Office, State Controllers' Office, DOA Personnel Office and the Legislative Fiscal Bureau
5. Human Resources Management
6. Contract Sunshine program (See separate section below.)
7. Day-to-Day Administrative Support
8. Receptionist/Front-Desk support
9. Facilities Management

For details of the Administrative Services section's activities, see the Board Action Summary 2011-2013, on page 7 of this report for links to Board materials for each meeting, which contain an Administration Report listing activities and accomplishments.

Contract Sunshine

Contract Sunshine was created by the Wisconsin Legislature in 2006. In enacting the Contract Sunshine Act, the Legislature's intention was to enhance citizens' confidence in the State's procurement process by

providing a one-stop internet location where citizens, the press, vendors, and others could learn about current procurement activities. The Legislature intended that the Act provide potential vendors of goods and services with ready access to information about the State's purchases and confirm that the State's procurement programs are operating fairly and efficiently.

The Act directs every state office and agency in the executive, legislative, and judicial branches of government to post on the Internet a list identifying each solicitation for bids or proposals and each proposed order or contract of the agency for which bids or proposals will not be solicited that involves an expenditure of \$10,000 or more, or if a contract or order is for continuing purchases, an expenditure of \$10,000 or more in the current fiscal biennium. While agencies are required to report the names of successful vendors, they are not required to report the amounts of those contracts.

In 2009, an administrative services staff person was assigned to focus on the administration of the Contract Sunshine Program. The current website at <http://sunshine.wi.gov> was developed between 2009 and 2011, and is being maintained with minimal upkeep required. To increase consistency of agencies reporting information, a quarterly certification process was developed in September of 2010. Four times per year, all agencies are requested to certify they have reported all information required. Since the January – March 2012 certification period, all agencies required to report to Contract Sunshine have certified they have reported the required information. Despite the development of the certification process, there is no statutory penalty for failure to comply.

Training for agency users is ongoing for any user who requests further information about the system and how to enter data. Most requests for training are from new employees to an agency assigned to enter data, though some training sessions are focused on refreshing users on the requirements associated with reporting data.

Many agencies have asked the Government Accountability Board to provide them with the ability to export their purchasing information in bulk to the Contract Sunshine system. When it created the program, the Legislature did not provide the resources necessary to develop such a system. There is currently a process developed for users to export data to .xml files and then uploaded to the website. This is a more streamlined process, but still requires some user input and is not automatic.

Some public officials, citizens and members of the media believed Contract Sunshine would or should provide checkbook-level spending transparency information. However, that is not what the Legislature authorized. Currently, the Department of Administration is developing a spending transparency website called OpenBook Wisconsin, which will report all state of Wisconsin expenditures for goods and services. There are also plans for OpenBook to report salaries and fringe benefits paid to state employees, grants that have been awarded, and contracts that state agencies have with vendors. Despite the fact that there would be duplicate contract data between Contract Sunshine and OpenBook Wisconsin, there is still a statutory requirement for agencies to report data to Contract Sunshine. If and when state contracting data becomes available on OpenBook Wisconsin, the G.A.B. will likely request that the legislature eliminate Contract Sunshine as redundant.

Public Information

During the 2011-2013 Biennium, the Public Information Officer (PIO) was involved in many of the agency's major events, providing information to the public and news media, as well as maintaining the agency's website. For details of the PIO's activities, see the Board Action Summary 2011-2013, on page 7 of this report for links to Board materials for each meeting, which contain an Administration Report listing activities and accomplishments.

Highlights

- The Agency's new website (gab.wi.gov, launched in June 2010) was recognized in December 2011 as being in the top 10 state election websites in the Pew Center's report, "Being Online Is Still Not Enough." In 2008, the agency's old website was ranked among the bottom 10 states.
- The PIO played a key role in the development and execution of the public information and education campaign for implementation of 2011 Act 23, the Voter Photo ID Law. This later involved mothballing the Voter Photo ID campaign in March 2012 following two court orders enjoining the Board from implementing the law.
- The PIO coordinated the agency's response to numerous requests for information by the public and media regarding recall efforts in the second half of 2011 and throughout 2012. This included establishing and maintaining a webcam to provide transparency at the secure location for recall petition processing center, as well as organizing a media tour of the center in March 2012.
- The PIO developed an enhanced Voter Information section of the agency website and MyVote.WI.gov.

Report on Flexible Work Schedules, Permanent Part-Time Positions and Alternative Work Patterns

The G.A.B. maintains a commitment to providing flexible time and staggered-hour work schedules, job sharing and other alternative work patterns. All employees are allowed to adjust their start and leave times and lunch breaks. Many G.A.B. staff members are issued notebook computers and have access to agency servers through a secure, virtual private network so they may work from other locations when they cannot be in the office. Many of the agency's employees work non-standard hours while providing quality service through a mutually satisfactory arrangement. During the 2011-2013 Biennium, the G.A.B. employed permanent, project, and LTE personnel.

Organizational Chart

Individuals Employed by the Government Accountability Board during the 2011-2013 Biennium

Administration Staff

- Kevin J. Kennedy – Director and General Counsel
- Sharrie Hauge – Chief Administrative Officer
- Shane W. Falk – Staff Counsel
- Michael Haas – Staff Counsel (appointed Elections Division Administrator in January 2013)
- Reid Magney – Public Information Officer
- Sonia Kubica – Financial Specialist (resigned August 2013)
- Michael Lauth – Accountant
- Tony Bridges – Office Operations Associate
- James Malone – Operations Program Associate (resigned May 2012)
- Julie Nischik – Office Operations Associate
- Tiffany Schwoerer – Office Operations Associate

Elections Division Staff

- Nathaniel E. Robinson – Elections Division Administrator (left agency December 2012)
- Colleen Adams – Elections Specialist (transferred to Ethics Division April 2013)
- Brian Bell – Elections Data Manager
- David Buerger – Elections Specialist – HAVA Compliance
- Sherri Ann Charleston – Elections Specialist – Voting Equipment
- Allison Coakley – Elections Training Coordinator
- Barry Crook – Elections Specialist-SVRS (resigned March 2013)
- Christopher Doffing – Multimedia Training Officer
- Edward Edney – SVRS Application Trainer (resigned September 2012)
- Jason Fischer – Elections Specialist
- Aaron Frailing – Elections Specialist (resigned June 2012)
- Jo Futrell – Accessibility Specialist (resigned October 2011)
- Adam Harvell – SVRS Application Trainer (transferred to Ethics Division April 2012)
- Ross Hein – Elections Supervisor
- John Hoeth – Help Desk
- Diane Lowe – Lead Elections Specialist
- Kathryn Mueller – MOVE Act Coordinator (resigned November 2012)
- Ann Oberle – SVRS User Acceptance Testing – Lead

- Nadya Perez Reyes – Elections Specialist – Photo ID (resigned June 2012)
- Steve Pickett – Elections Specialist – Local Election Administration (retired July 2013)
- Steven Rossman – Help Desk Lead
- Richard Rydecki – Elections Specialist – Accessibility
- Lila Walsh – Elections Specialist -- SVRS
- Sarah Whitt – SVRS Functional Team Lead
- Meagan Wolfe – Elections Specialist -- Voter Services

Ethics and Accountability Division Staff

- Jonathan Becker – Ethics and Accountability Division Administrator
- Colleen Adams – Campaign Finance Auditor/Lobbying Specialist
- Richard Bohringer – Lead Campaign Finance Auditor
- Adam Harvell – Campaign Finance Auditor/Ethics Specialist
- Nathan Judnic – Campaign Finance Auditor/Ethics Specialist
- Cindy Kreckow – Ethics and Lobbying Program Support
- Molly Nagappala – Campaign Finance Auditor/Lobbying Specialist
- Tracey Porter – Campaign Finance Auditor/Lobbying Specialist (resigned October 2012)