



Mary Lazich

State Senator - Senate District 28

Assembly Committee on Campaigns and Elections
Assembly Bill 690/Senate Bill 377
February 4, 2014

Greetings and thank you Chair Bernier and committee members for your attention. Assembly Bill 690 (AB 690) provides the public with information and voting statistics about electors registering to vote on Election Day. Current law requires clerks to conduct an Election Day registration audit. However, the results of the audit are not readily available to the public. AB 690 requires the Government Accountability Board (GAB) publish data about Election Day statistics and the Election Day voter registration audit.

Current law requires an Election Day registration audit that includes clerks or the board of election commissioners mailing postcards to electors to verify that addresses provided on Election Day are correct. If a postcard is returned to the Clerk or Board as undeliverable, or the clerk or board is informed of a different address for the elector, the clerk or board must change the elector's status from eligible to ineligible on the registration list and provide the elector's name to the district attorney.

AB 690 requires the results and data of this audit be forwarded to GAB and published on the GAB's website. AB 690 requires clerks to forward to GAB (1) the total number of audit postcards mailed to Election Day Registrants to verify their addresses are correct, (2) the total number of audit postcards returned because the elector did not reside at the address given, (3) the total number of electors with status changed from eligible to ineligible on the registration list as a result of the mailing, and (4) the number of individuals referred to the district attorney.

Existing law already requires municipal clerks submit certain election related statistics and information to the county clerk and GAB. That data currently includes the number of electors that voted, the number of electors registered to vote in advance of the election, and the number registering to vote the day of the election. AB 690 adds the results from the Election Day registration to the information reported to the GAB.

I have worked with GAB on an amendment to Senate Bill 377 (SB 377) the Senate companion bill to AB 690. AB 690 includes the amendment provisions by providing for electronic transmission of reports and expands the timetable for reporting the data from 60 days to 90 days. With advice from GAB we have modified the effective date of the bill. AB 690 creates a pilot program for this data to be reported during the fall 2014 general election. However, the effective date for the act is January 1, 2016, to permit GAB to develop the Statewide Voter Registration System and computer processes for a more streamlined and efficient process.

AB 690 will provide the public with information about our Election-Day statistics and registration system, and will shine a light on same day registrations.

Thank you for your attention to AB 690.

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

Assembly Committee on Campaigns and Elections

February 4, 2014

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

Assembly Bills 689 and 690

Chairperson Bernier and Committee Members:

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

Assembly Bill 689

This legislation transfers the responsibility for conducting the biennial voter registration list maintenance from local election officials to the Government Accountability Board (G.A.B.). The Board directed staff to work with the Legislature to develop this legislation. We appreciate the support of Senator Lazich and Representative Bernier in helping craft and introduce the legislation.

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

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

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

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

Assembly Bill 690

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

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

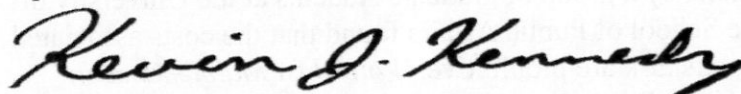
The legislation requires an annual report by the G.A.B. to the Legislature. This provides a point of reference to compare referrals over time. Currently, there is no uniform reporting of this information.

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

Conclusion

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

Respectfully submitted,



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