



Mary Lazich

State Senator - Senate District 28

Assembly Committee on Campaigns and Elections
Assembly Bill 689/Senate Bill 548
February 4, 2014

Greetings and thank you Chair Bernier and members for your attention. Assembly Bill 689 (AB 689) grants the Government Accountability Board (GAB) authority and responsibility for conducting four-year maintenance of the state's Voter Registration List. The bills provide clear responsibility for the maintenance and create an efficient process.

Existing law requires municipal clerks to conduct a four-year maintenance of the Statewide Voter Registration System by mailing a postcard to all electors not voting during the past four years. However, clerks have not always completed the statutorily required maintenance. In recent years, GAB has taken over mailing the postcards for the maintenance, despite lacking the statutory authorization or responsibility to do so. AB 689 explicitly vests this responsibility with the GAB.

The maintenance requires a postcard be mailed to each elector not voting in an election during the last four years. The elector may complete a Continuation of Registration form and submit it to the municipal clerk to remain active in the Statewide Voter Registration System. However, if an elector does not take action within 30 days, the elector will be converted to ineligible status. If a voter is deemed ineligible, he or she may reregister to vote.

AB 689 grants responsibility for mailing the postcards to GAB. Clerks remain the point of contact for electors wishing to submit a Continuation of Registration form. Allocating continuation tasks to clerks is efficient and maintains an easy process for electors to remain eligible.

AB 689 changes the timeline for the four-year maintenance. Existing law requires the maintenance be conducted within 90 days of each fall general election. The 90-day timeline is at a problematic time in the calendar for GAB and clerks because multiple other responsibilities and postcard mailings are conducted during that time. AB 689 requires the postcards to be mailed by June 15 following a general election.

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This bill also requires GAB to publish the data from the Four-Year Maintenance on its website. This data will include the number of notices mailed, the number of requests for continuation of registration, and the number of electors' status changed from active to inactive.

The last time GAB conducted the audit 299,748 postcards were mailed to electors not voting during the prior four years. 10,736 electors requested continuation of registration. 68,587 postcards were undeliverable to the names and addresses listed. This audit resulted in approximately 289,000 inactive electors switched to ineligible status in the Statewide Voter Registration System.

The maintenance is important because it keeps the Statewide Voter Registration System current by removing deceased names, staying current with registrants that move to a new location, or are otherwise inactive. This will help keep the registration list current and prevent voter impersonation during Election Day.

Thank you for your attention to AB 689.

**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.

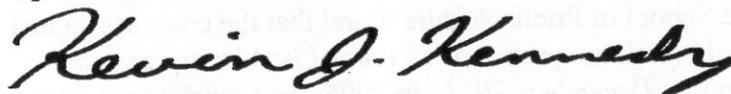
The legislation requires an annual report by the G.A.B. to the Legislature. This provides a point of reference to compare referrals over time. Currently, there is no uniform reporting of this information.

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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