

Fair Elections Wisconsin

January 17, 2007

Dear Members of the Senate Committee on Ethics Reform and Government Operations:

The emphasis of SB-1 is clearly on ethics, investigation, and prosecution. You have a strong public oversight board proposed, retired judges, who will be eminently qualified for this field. But what about election administration? Will they have any particular qualifications or interest to oversee election administration? Issues arise such as the statewide voter registration system, voting machine approval, audits of vote counts, and rules promulgation for observers, deputy registrars, and security of voting equipment.

A public oversight body should have the expertise to support staff when appropriate, and to have credentials and credibility so their decisions are widely supported. But they should also be able to challenge staff when appropriate. They should be able to bring recognized experience and interest in the field they are overseeing. You would not pick people for the job of overseeing ethics who did not have expertise.

There currently exists in the statutes and Election Administration council. But it is a very weak body with a limited role. Fair Elections Wisconsin is proposing to redefine this existing body, the Election Administration Council, which is mentioned in SB-1, on page 45, line 11.

We offer the included amendment to increase their role, while still working under the jurisdiction of the new Government Accountability Board. The amendment includes having the Government Accountability Board pick one of their members to be chair of the Election Administration Council. Other members would be confirmed by the full Government Accountability Board. Nominees for the revised Election Administration Council would have expertise in areas such as computer science, audits, quality control, training, and include two county or municipal clerks. They would sift and refine election administration issues and present conclusions to the Government Accountability Board for confirmation.

Election administration has a major and growing role in achieving proper elections. There have been recent law changes on the federal and state level, and controversies around the country. This trend is likely to continue. Citizens expectations of elections are increasing.

In summary, this amendment does not upset the delicate balance in this bill. It will improve election administration, and also relieve the workload on the retired judges who on the Board. Currently there is nearly universal criticism over decisions based upon partisan bias. Let's not replace this with policy decisions on election administration that are flawed due to lack of expertise.

On Behalf of Fair Elections Wisconsin,

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Fair Elections Wisconsin is an independent all-volunteer organization working for elections that are accurate, well administered, and transparent.

Amendment Proposed by Fair Elections Wisconsin to improve the existing Election Administration Council. This amendment strengthens the Council and makes it an effective oversight committee for election administration, under the Government Accountability Board.

Changes to existing statutes:

15.617 (1)

(1) Election Administration Council. There is created in the ~~elections~~ Government Accountability board an ~~e~~Election Administration Council. The Government Accountability Board shall choose one of their members to serve as Chair of the Election Administration Council. The administrator of the elections division shall solicit candidates to be members of the Election Administration Council and report all eligible candidates to the Chair. Members must be eligible electors, not holding or running for elective office, and not an employee or other principal of a vendor for voting machines or other election-related product. Members shall not have worked for any of these vendors for one year before becoming a member and shall not work for these vendors for one year after ceasing to be a member. The administrator shall seek candidates among the following-: ~~consisting of members appointed by the executive director of the elections board, including the a~~ clerk or executive director of the board of election commissioners of ~~the 2~~ counties or municipalities in this state having ~~the a~~ largest population, ~~one or more~~ election officials of other counties or municipalities, representatives of organizations that advocate for the interests of individuals with disabilities and organizations that advocate for the interests of the voting public, and candidates with interest or expertise in computer science and security, statistics, auditing, quality control, education and training, and voting machine technology.~~other electors of this state.~~

The Chair of the Election Administration Council shall recommend nominees to the Government Accountability Board, with a report listing all interested candidates. The consent of the Government Accountability Board is required to confirm a nominee. The Election Administration Council shall consist of 9 members including the Chair, plus the non-voting election administrator. Four of the initial members shall be appointed for one-year terms, and all other members for two-year terms. There shall be a maximum of two clerks on the Election Administration Council.

5.68(3m)

3m) The election administration council shall make recommendations for optimum election administration and shall provide guidance to local units of government concerning the procurement of election apparatus, ballots, ballot forms, materials, and supplies for use in elections in this state to help ensure that competitive prices are obtained by those units of government. The Election Administration Council shall consider applications for voting machine approval, rules and topics involving audits of vote counts, pollworker and clerk training, statewide voter registration system, election observers, deputy registrars, security of voting machines, emergency preparedness, and other matters referred to them by the administrator of the elections division and the Government Accountability Board

The Election Administration Council shall forward recommendations to the Government Accountability Board and the elections division administrator. Meetings of the Election Administration Council should be broadcast and on the internet via Wisconsin Eye when possible. If circumstances prevent this, the agenda and minutes shall list the cause.

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