

GAB: “Let’s Not Throw the Baby Out with the Bath Water”

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This week Sen. Kathleen Vinehout talks about the Government Accountability Board (GAB), the agency set up to police the politicians. Governor Walker and the Republicans would like to shut it down, but an Audit Hearing shows path to improved operation.

MADISON - “I’m not a clerk. I’m just a citizen who observed several recounts and recalls,” Bill Wasser of Reedsburg told the Audit Committee. “Let’s not throw the baby out with the bath water. Let’s make some changes and make it work.”

Mr. Wasser responded to some lawmakers who threatened to dismantle the Government Accountability Board (GAB). The state agency oversees elections, campaign finance, lobbying and ethics.

One of the lawmakers intent on dismantling the nonpartisan agency is Assembly Speaker Robin Vos who told reporters the GAB “will not exist in its current form much longer.”

At the recent public hearing many local elected officials from across the state testified in support of the GAB. The work of the Legislative Audit Bureau (LAB) confirmed what clerks were saying: GAB staff members were consistent and inventive in training and supporting clerks during a tumultuous time in Wisconsin’s history.

During the study period of the audit, the GAB dealt with several lawsuits; an on-again-off-again photo voter ID law; a historical number of recall elections; a statewide judicial race recount;

redrawing of legislative district lines and the passage of 31 separate pieces of legislation affecting operations and elections.

Local clerks run elections with support from the GAB. Auditors found the GAB used innovative ways to administer training to clerks and election workers. Webinars and on-line resources provided in-office training. Many clerks testified GAB staff were quick to return phone calls and spent a great deal of time assisting clerks on the phone and at professional gatherings.

Through random unannounced visits to polling places, GAB staff evaluated accessibility of local polling places. There are more than 2,600 polling places in Wisconsin.

Auditors documented the GAB identified more than 10,000 issues related to accessibility. About a third were considered “high-severity,” most concerned accessible entrances and voting booths. GAB staff helped clerks in remedies to assist disabled voters including using federal money to purchase local supplies.

The Presidential Commission on Election Administration lauded the accessibility audits of Wisconsin as a model of best practices for the nation.

Problems do exist at the GAB. During the study period, auditors reported on many legally required tasks that were either not completed or completed late. GAB officials countered that short staffing and an unusually high workload required managers to prioritize tasks. A new, complex administrative rule-making process increased the time needed to promulgate required administrative rules.

Auditors documented several administrative rules needed, including election laws and penalty schedules. In addition, the GAB didn’t post all of their advisory opinions, (minus the confidential information) on their website. Turned in late by GAB staff, for example, were audits of electronic voting equipment.

Several operational problems were identified by the audit. For example, GAB staff had no written procedures for assessing penalties on lobbyists nor did they have procedures or

adequate tracking for reviewing election complaints. Auditors documented a long history of the agency not establishing procedures for complaints.

Complicating the work of auditors this summer was an Attorney General’s opinion that shielded about 70% of complaints to the GAB from the eyes of auditors. For committee members, the lack of access to records was disconcerting.

Lawmakers worked quickly to remedy the problem. Recently Audit Committee members voted unanimously to clarify the law allowing LAB auditors access to all GAB records. This legislation is expected to speedily make its way through the legislative process.

GAB officials supported the bill to allow auditors complete access to records.

Officials also explained to lawmakers the staffing problems facing the agency. Almost two-thirds of positions are funded with temporary federal grants. Strings on this money limit what tasks staff can do. The GAB asked lawmakers to convert these positions to state funded positions as far back as 2011. In 2013 the agency asked for 6 additional state positions. None of these requests were granted.

Unless authorization from the state is provided, some staff won’t be able to work past the end of June. I am currently drafting legislation to resolve this problem.

To me, this case looks like starving the patient, complaining the patient won’t eat and then killing the patient.

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