

Don't Let Government Accountability "Reform" Mean Return to Corruption

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Senator Kathleen Vinehout writes about the Legislative Audit Bureau report on the Government Accountability Board and the attempt of GOP leaders to use it to dismantle the agency. Do we really want Wisconsin to be like Illinois, Texas and Louisiana – all of which have the reputation of freewheeling, corrupt elections?

MADISON - "I promise you that two years from now, when we are sitting here, the GAB will not be in the current format," Assembly Speaker Robin Vos told a crowd at a Madison luncheon as reported by the Wisconsin State Journal.

The Government Accountability Board (GAB) was created seven years ago to prevent corrupt practices in state government. The agency had its beginnings when the existing ethics and election board failed to stop lawmakers from using public resources for campaign purposes in the 2002 "caucus scandal".

A recently released Legislative Audit Bureau (LAB) audit of the GAB provides insight to the activities of the GAB. The audit also spurred a partisan attack on the agency crippled by underfunding and unprecedented challenges.

Auditors confirmed that GAB officials complied with many legal duties but, among other findings, did not promulgate required administrative rules, adequately track late reports or consistently assess penalties.

Local government administers elections with oversight from the GAB. Many actions of the agency are working well. Municipal clerks are trained using a variety of methods to allow on-line attendance. The agency regularly audited polling places to assure accessibility for disabled voters. The GAB matches computer information on voters to prevent voter fraud.

Some problems existed in the consistency and accuracy of computer matches. To assure, for example, felons still serving time do not vote or no one casts a ballot in the name of the deceased, coordinated efforts must take place between the GAB and local clerks.

Sometimes errors were made. In stopping ineligible felons from voting the Department of Corrections included aliases. Sometimes those names matched real people. Locals must take care to not revoke the voting privileges of innocent people.

In other activities of the GAB, the audit found over 90% of lobbying groups and over 85% of campaigns filed required reports on time. But GAB staff did not consistently track or enforce penalties for late reports and violations of lobbying laws. Staff did not have written policies when making exceptions to the assessment of penalties.

The oversight of the GAB could not be completely evaluated by the LAB because an Attorney General's opinion this summer limited release of documents to the auditors. The action of the Attorney General affected auditors' ability to review complaints investigated by the GAB. Over 1,900 complaints were received but auditors could examine less than a third of these complaints.

Critics of the GAB cite its failure to promulgate administrative rules as a deliberate action of a "rogue" agency that "ignored state law". This is hyperbole.

Administrative rules took a backseat to agency duties at a time of great demand on the GAB's strained human resources. During this time period, the GAB repeatedly asked for additional staff and was turned down by the Governor. More than a quarter of its state funds were cut since 2011.

At the same time the GAB faced unprecedented challenges: historic recall elections; the enactment of 31 separate pieces of new legislation and lawsuits affected the agency, including several over photo ID. To make compliance more difficult, a 2011 law changed the length and complexity of the rule-making process leaving many agencies – not just the GAB - with delayed or eliminated permanent rules.

Problems must be corrected. The agency response to the audit sets out details on how to do this. Some agency failures happened before 2011. Clearly tight budgets and tough workloads are not the only explanation.

But lawmakers can't starve the agency, load it with additional work, and then complain staff isn't doing the job fast enough.

If Wisconsin wants clean elections, transparent campaigns and lobbying and ethics among elected officials, the state must provide the GAB with adequate resources to do the job.

Dismantling the agency will put the people back in the dark when it comes to elections, campaign finance, lobbying and ethics. Destroying the agency to save it should not be an option.

I question the end game of critics of the GAB.

To Assembly Speaker Vos: "Do we really want Wisconsin to be like Illinois, Texas and Louisiana – all of which have the reputation of freewheeling, corrupt elections?"

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