

Government Accountability Died the End of June

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Wisconsin's Government Accountability Board (GAB) quietly passed into history last week. The GAB was created to take partisan pressure out of the accountability process and was made up of non-partisan judges who ensured the decisions were in the best interest of public accountability – not partisan interests.

MADISON - Government Accountability passed in a quiet death the last day of June.

There was no fanfare, no long speeches – just hard working employees packing up personal items.

I imagined the nonpartisan judges of the Government Accountability Board (GAB) breathed a deep sigh as they left their service on the GAB and ended the rough and tumble ordeal as broad members.

All the fanfare, public speeches and hyper-partisan rhetoric happened last winter in what GAB board member, Judge Thomas Barland, called a “public lynching”.

Judge Barland is a former Circuit Court Judge for Eau Claire and Trempealeau counties. As a GAB board member, he oversaw government accountability in Wisconsin. Earlier this year he retired from the GAB.

For over thirty years, he served as a nonpartisan judge. Ironically, given the partisan focus of destroying the GAB, Judge Barland served as a Republican State Representative from 1961 to 1967.

Following an interview with Judge Barland, Chippewa Valley Herald Associate Editor David Gordon wrote, "Barland said his 'public lynching' comment referred both to the recurrent attacks on the GAB by members of the Republican majority in the Legislature, and to the actual destruction of the Board."

These attacks were on display in a long, confrontational hearing of the Joint Committee on Audit last fall.

As the Audit Committee reviewed the extensive work of the nonpartisan Legislative Audit Bureau, in another room across the Capitol, legislators conducted a public hearing on a bill to dissolve the GAB. In less than a week, the bill went from a draft to a full joint hearing, which was the only opportunity for citizens to offer testimony on the bill.

During the Audit hearing, GAB chair Judge Gerald Nichols said in response to a question, "Not everyone before me has been true and honest. To do an investigation we want as many of the facts in front of us [as possible]. We are very balanced and it doesn't make a difference if the subject of the investigation is independent, Republican or Democrat."

Following the fall hearing, Judge Barland told the Chippewa Valley Herald, "It's clear to me that [legislators] are basing some of their conclusions on false information...People are too quick on both sides to draw conclusions from minimal facts."

The LAB auditors reported the facts. The audit showed, through an analysis of complaints and investigations conducted by the GAB, no major concerns. Auditors recommended quicker resolution of complaints and the GAB responded with a new computer system to track complaints.

An earlier audit reported on other activities of the GAB. The analysis was broad, covering every

aspect of the agency. Some activities – for example the evaluation of the accessibility of polling places – won national acclaim.

Problems did exist at the GAB. During the study period, auditors reported on legally required tasks that were 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.

During that same period, the GAB dealt with several lawsuits, an on-again off-again voter photo 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.

Nevertheless, some legislators distorted the audit facts to justify the GAB's demise.

Chippewa Herald Associate Editor Gordon reported, "Barland said that the GAB's enemies, particularly in the Assembly, 'distorted badly the audit findings' in what proved to be a successful effort to kill the GAB. He said that the only hope of keeping the Board in existence lay with the Senate but 'enormous pressure was brought on the Republican senators' who were wavering."

The pressure worked. On Saturday, November 7, 2015 at 2:24 a.m., the bill to dismantle the GAB passed with all Republican Senators present voting "aye" and all Democrats voting "nay".

"It's a great step backwards for the state," Judge Barland said. Barland noted the undoing the legislative majority's changes to the GAB would be difficult and would need "the electorate as a whole to come to an understanding that what was done was wrong."

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