

☞ **05hr\_SC-CFRE\_sb0001\_pt01**



(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

### 2005-06

(session year)

### Senate

(Assembly, Senate or Joint)

### Committee on Campaign Finance Reform and Ethics...

### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                      (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

## Senate

### Record of Committee Proceedings

#### **Committee on Campaign Finance Reform and Ethics**

##### **Senate Bill 1**

Relating to: creation of a Government Accountability Board, making appropriations, and providing penalties.

By Senators Ellis, Cowles, Harsdorf, A. Lasee and Risser; cosponsored by Representatives McCormick, Musser, Pope-Roberts, Hines, Albers and Hahn.

January 11, 2005      Referred to Committee on Campaign Finance Reform and Ethics.

May 18, 2005      **PUBLIC HEARING HELD**

Present:    (5)    Senators Ellis, A. Lasee, Kedzie, Risser and Miller.  
Absent:    (0)    None.

##### Appearances For

- Don Millis, Madison
- Gail Shea, Middleton
- Mike McCabe — Wisconsin Democracy Campaign
- Susan Lloyd, Madison — League of Women Voters
- Jay Heck — Common Cause in Wisconsin
- Thomas Thoreson, Fitchburg
- Lindgren Rolf, Middleton — Libertarian Party of Wisconsin

##### Appearances Against

- None.

##### Appearances for Information Only

- None.

##### Registrations For

- Linda Kleinschmidt, Madison — Wisconsin Council on families and Children
- Denny Caneff, Madison — River Alliance of Wisconsin
- Dawn Stucki, Madison — Coalition of Wisconsin Aging Groups
- Mary Bean, Madison
- Bill Landgraf, DeForest

- Carol Jean Beulow, Madison
- Shirley Haidinger, Madison
- Pam Rewey, Madison — Wisconsin Association of School Boards
- Patricia Finder-Stone, Madison — AARP and League of Women

Voters

- Gail Sumi, Madison — AARP Wisconsin
- Rob Cowles — Sen.
- Renee Barr, Fort Atkinson — American Association of University

Women

- Susan Becker, Madison — Church Women United in Wisconsin
- Barbara Fleishman, Middleton
- Cordelia Mayberry, Madison
- Anne Nahn, Middleton

Registrations Against

- None.

June 15, 2005

**EXECUTIVE SESSION HELD**

Present: (5) Senators Ellis, A. Lasee, Kedzie, Risser and Miller.

Absent: (0) None.

Moved by Senator Ellis, seconded by Senator Risser that **LRBa0728** be recommended for introduction and adoption.

Ayes: (5) Senators Ellis, A. Lasee, Kedzie, Risser and Miller.

Noes: (0) None.

INTRODUCTION AND ADOPTION OF LRBA0728 RECOMMENDED,  
Ayes 5, Noes 0

Moved by Senator Ellis, seconded by Senator Risser that **Senate Bill 1** be recommended for passage as amended.

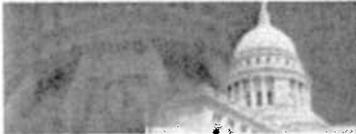
Ayes: (3) Senators Ellis, Risser and Miller.

Noes: (2) Senators A. Lasee and Kedzie.

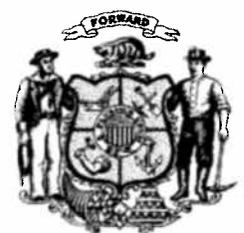
PASSAGE AS AMENDED RECOMMENDED, Ayes 3, Noes 2

Michael Boerger

Committee Clerk



# WISCONSIN STATE LEGISLATURE



# State of Wisconsin \ Elections Board

Post Office Box 2973  
17 West Main Street, Suite 310  
Madison, WI 53701-2973  
Voice (608) 266-8005  
Fax (608) 267-0500  
E-mail: [seb@seb.state.wi.us](mailto:seb@seb.state.wi.us)  
<http://elections.state.wi.us>



JOHN C. SCHOBER  
Chairperson

KEVIN J. KENNEDY  
Executive Director

May 16, 2005

The Honorable Michael G. Ellis, Chair  
Senate Committee on Campaign Finance Reform and Ethics  
State Capitol, Room 118 South  
Madison 53702

Dear Senator Ellis:

The Senate Committee on Campaign Finance Reform and Ethics is scheduled to meet on 2005 Senate Bill 1 relating to the creation of a Governmental Accountability Board on May 18, 2005. Unfortunately this coincides with a meeting of the State Elections Board which begins at 10 am in Brookfield on the same day. As a result no one will be able to appear before the Committee on behalf of the State Elections Board.

The position of the members of the State Elections Board has not changed from the previous session when Board members went on record opposing the merger of the State Elections Board and the State Ethics Board into a Governmental Accountability Board.

I am willing to meet with the Committee at another time to provide the Committee members with information and responds to questions.

**State Elections Board**

  
Kevin J. Kennedy  
Executive Director



# WISCONSIN STATE LEGISLATURE





---

---

## WISCONSIN LEGISLATIVE COUNCIL

---

---

*Terry C. Anderson, Director*  
*Laura D. Rose, Deputy Director*

TO: SENATOR MICHAEL ELLIS

FROM: Ronald Sklansky, Senior Staff Attorney 

RE: 2005 Senate Bill 1

DATE: May 17, 2005

Senate Bill 1 creates a new agency entitled the Government Accountability Board to regulate the election, lobby, or ethics laws of Wisconsin.

### **A. Government Accountability Board**

#### ***1. Creation***

Senate Bill 1 in effect combines the powers and duties of the current Elections Board and Ethics Board into a new entity entitled the Government Accountability Board (board). The new body consists of four persons nominated by the Governor, and appointed with the advice and consent of the Senate, and one person appointed by the Governor to represent each political party whose candidate for Governor, Attorney General, Secretary of State, or State Treasurer received at least 1% of the vote in the most recent general election. Each political party representative must be designated by the chief officer of the eligible party. Except for initial appointments, members will serve for four-year terms.

The members of the board who do not represent political parties will be appointed from nominations submitted to the Governor by a nominating committee consisting of:

- a. The Chief Justice of the Supreme Court.
- b. The Dean of the Marquette University Law School.
- c. The Dean of the University of Wisconsin Law School.
- d. The Chief Officers of the Wisconsin Counties Association, the Wisconsin Towns Association, the League of Wisconsin Municipalities, the League of Women Voters of Wisconsin, the Wisconsin Newspaper Association, and the State Bar of Wisconsin.

The nominating committee also must convene and make recommendations to the Governor when vacancies occur in those positions filled by persons who are nominated by the Governor and appointed with the advice and consent of the Senate.

[See SECTIONS 12, 13, 54, 56, and 59 of Senate Bill 1.]

## **2. Board Employees**

The board is required to employ an executive director outside the classified service and is required to employ its own legal counsel. The board may appoint three division administrators. [See SECTIONS 6 and 132 of Senate Bill 1.]

### **B. Enforcement Division**

#### **1. Creation**

The bill creates an Enforcement Division which is attached to the board. An administrator, who will be appointed by the executive director of the board, with the advice and consent of the board, will direct and supervise the Enforcement Division. The administrator will serve a term of not less than four years nor more than six years. [See SECTION 55 of Senate Bill 1.]

#### **2. Powers and Duties of Enforcement Division**

The Enforcement Division is required to investigate and prosecute alleged violations of laws administered by the board, including civil and criminal actions brought by the board, and must assist district attorneys and the Attorney General in prosecuting criminal actions referred to them by the Enforcement Division. The board must employ at least one full-time attorney and at least one full-time investigator within the Enforcement Division.

Generally, the Enforcement Division may, with or without approval of the board, investigate or prosecute any civil or criminal violation of election, lobby, or ethics laws in the name of the board. However, prior to commencing a criminal prosecution, the Enforcement Division must notify the district attorney for the county in which the violation is alleged to have occurred. If the district attorney notifies the Enforcement Division that a criminal prosecution will not be commenced, or the district attorney fails to commence a prosecution within 30 days after receiving notice from the Enforcement Division, the Enforcement Division may commence a criminal prosecution regarding that alleged violation.

The Enforcement Division may request assistance from the Department of Justice and may employ special counsel.

The Enforcement Division is bound by applicable laws, rules, formal opinions, and actions of the board, except that the Enforcement Division may nonacquiesce in any formal opinion or action of the board by publishing a notice of nonacquiescence in the Wisconsin Administrative Register. Following publication of the notice, the Enforcement Division is not bound by the formal opinion or action in which nonacquiescence has been registered. The Enforcement Division may act upon a verified complaint, on its own motion, or upon direction of the board. If a complaint challenges the action of an

election official or private person, the complainant must serve a copy of the complaint upon the official or private person and the official or private person will be a party in the proceeding. If the Enforcement Division finds that a violation has occurred it may impose a civil penalty. In conducting its proceedings, the Enforcement Division may make use of subpoenas and depositions.

A party aggrieved by an Enforcement Division decision may appeal to the board, which may affirm, modify, or reverse an order of the Enforcement Division. The Enforcement Division or a defendant may seek judicial review of the board's decision. [See SECTIONS 5, 7, and 14 of Senate Bill 1.]

### ***3. Budget Requests***

All budget requests by the Enforcement Division must be submitted by the board to the Department of Administration without change except as concurred in by the Enforcement Division. [See SECTION 46 of Senate Bill 1.]

### **C. Forfeitures**

The bill creates new forfeitures with respect to Ethics Code violations. A person who violates the provisions of the Ethics Code relating to financial disclosures, statements of economic interests, or honorariums, fees, and expenses may be required to forfeit not more than \$500. A person who violates any other provision of the Ethics Code may be required to forfeit not more than \$5,000. [See SECTION 79 of Senate Bill 1.]

### **D. Advice From Executive Director**

Current law provides that a person may request a formal opinion from the Elections Board with respect to the person's authority or responsibilities under Wisconsin's election laws. No person acting in good faith upon a formal opinion issued to the person by the board will be subject to civil or criminal prosecution, if the material facts are as stated in the opinion request. Similarly, an individual may request an advisory opinion from the Ethics Board regarding the propriety of any matter regarding the application of Wisconsin's ethics or lobby laws. It is prima facie evidence of intent to comply with these laws when a person refers a matter to the board and abides by the board's advisory opinion, if the material facts are as stated in the opinion request.

Senate Bill 1 provides that a person seeking advice as to the applicability of Wisconsin's election, ethics, or lobby laws must present the opinion request to the executive director of the board. The executive director may issue an opinion. Prior to issuing an opinion, the executive director may consult with the board, and, in the case of an opinion regarding Wisconsin's ethics or lobby laws, must not reveal any information to the board that would identify the requester of the opinion. [See SECTIONS 10 and 71 of Senate Bill 1.]

### **E. Effective Date and Interim Management**

The provisions of the bill relating to the creation of the board and the Enforcement Division generally take effect on November 1, 2005. The remaining provisions generally take effect on May 1, 2006.

Further, the Director of the Legislative Council staff is required to serve as executive director of the board, without additional compensation for that service, until such time as the board initially appoints an executive director and the appointee qualifies to take office. The executive director of the Legislative Council staff is vested with full authority and responsibility to carry out all functions of the executive director of the board, the Enforcement Division, and the administrator of the Enforcement Division prior to appointment and qualification of the initial executive director, including the retention and termination of all staff not transferred to the board that the board is authorized to employ under the bill. [See SECTIONS 141 (4) and 143 of Senate Bill 1.]

If you have any questions, please feel free to contact me directly at the Legislative Council staff offices.

RS:tlujal;ksm





# Common Cause In Wisconsin

152 W. Johnson Street \* P.O. Box 2597 \* Madison, WI 53701-2597 \* (608) 256-2686  
E-Mail Address: [ccwisjwh@itiss.com](mailto:ccwisjwh@itiss.com) \* Website: [www.commoncause.org/states/wisconsin](http://www.commoncause.org/states/wisconsin)

## Testimony of Jay Heck, Executive Director of Common Cause in Wisconsin In Support of Senate Bill 1

May 18, 2005

### Before the Wisconsin State Senate Committee on Campaign Finance Reform & Ethics Senator Michael G. Ellis, Chair

Senator Ellis and Members of the Committee:

Thank you for this opportunity to testify in favor of Senate Bill 1, legislation that would overhaul and restructure Wisconsin's currently dysfunctional state Ethics and Elections Boards. We commend the Chair of this Committee, as well as Senator Rob Cowles, Senator Fred Risser and others for introducing this critically important and badly needed measure.

The state Elections and Ethics boards clearly needs to be reformed and strengthened because in their present form they are ineffective government watchdog agencies over Wisconsin's campaign finance and ethics laws and are unwilling, unable, or both to enforce existing law or to take the necessary action to craft new administrative laws to address present-day abuses. There a dozens of reasons why sweeping reform of both agencies is so desperately needed but here are just a few:

- 1) The Wisconsin Ethics Board failed to investigate allegations of illegal campaigning on state time and with state resources and other abuses by legislators and legislative staff alleged when the *Wisconsin State Journal* first disclosed widespread improper and possible illegal activity in May of 2001. After giving the media, the public and non-partisan public interest groups such as CC/WI the very distinct impression that they were investigating possible misconduct in office and other violations of Wisconsin law, we now know that the Ethics Board had secretly agreed with legislative leaders that they would not investigate possible wrongdoing and instead took a "prospective" approach to the problem by working to partially dismantle the partisan legislative caucuses and to institute new work rules for legislative staff. The meetings with legislative leaders during the Summer

of 2001 were held entirely in secret and out of the public view and when the "deal" to dissolve the caucuses was announced in October of 2001, it was a complete surprise to the public, the press and to many legislators and raised serious questions about the ability and independence of the Ethics Board to thoroughly investigate alleged legislative misconduct--questions which persist to this day. The distinct impression many had and still have is that the Ethics Board acted at the behest of legislative leaders under criminal investigation rather than independently and aggressively pursue its own investigation of possible misconduct.

2) The state Elections Board similarly did not pursue its own investigation of possible violations of campaign finance laws following the disclosure of possible illegal activities that may have occurred and which were first disclosed in the *Wisconsin State Journal* in May of 2001. The public, media and CC/WI had been led to believe that the Elections Board was investigating possible wrongdoing throughout the Summer and into the Fall of 2001 when in fact, like the state Ethics Board, the Elections Board was conducting no investigation. Then, in October of 2001, the Elections Board, after first recommending that each of the four partisan caucuses pay fines of up to \$100,000 each for possible campaign finance law violations, instead voted to reduce the fines to \$20,000 each of which only \$10,000 had to be paid immediately. The board also voted to allow that the \$10,000 fines could be paid for by special interest group campaign contributions to the legislative campaign committees which were continued even as the legislative caucus staffs were being eliminated (in the Assembly) or reduced (in the State Senate). Again, the strong impression to many was that the state Elections Board was following the directions dictated to them by the very legislative leaders they were supposed to be investigating.

3) In the Summer of 1999, the State Supreme Court ruled that Wisconsin had no effective definition of what constitutes express advocacy--or campaign speech that is subject to disclosure and regulation under Wisconsin's campaign finance laws. This "loophole" in state law has allowed special interest groups such as Wisconsin Manufacturers & Commerce (beginning in 1996) and now many other groups to run hundreds of thousands of dollars worth of widely disseminated communications, or ads, posing as "issue advocacy" when, in fact, they are thinly-veiled campaign ads paid for with corporate treasury money which has been outlawed in Wisconsin since 1906 when a law was enacted forbidding the use of corporate treasury money to influence the outcome of state elections.

The State Supreme Court ruling stipulated that the State Elections board (or if it failed, the Legislature) should craft a definition for express advocacy in order to sweep the sham issue ads under disclosure and regulation. This was a matter that the board had been grappling with since November of 1996 and could not reach agreement. At an October, 1999 meeting, the State Elections Board effectively "punted" the task of crafting a meaningful definition of express advocacy when it instead, unanimously adopted a virtually meaningless definition that simply permitted the sham issue ads to continue to run without having to be disclosed and regulated. The next year, in May of 2000, the Joint Committee for the Review of Administrative Rules (JCRAR) adopted a strong and effective definition of express advocacy (written and pushed by CC/WI) that would have done away with sham issue ads in Wisconsin. The JCRAR measure passed overwhelmingly in the State Senate (23 to 10) in January of 2001 but failed to pass by just one vote in the Assembly in March of 2001. The state Elections Board, despite numerous hours spent exploring the question, in the end failed miserably to address this matter which has become the number one campaign finance law loophole in Wisconsin.

Twice last year, the state Elections Board had an opportunity to pass a similar administrative rule to force the disclosure and regulation of sham issue advocacy and twice they failed miserably to do so as narrow partisan interests took precedence over the public interest.

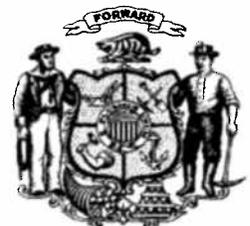
There are many more reasons why Senate Bill 1 should be passed and enacted into law as soon as possible. The Ethics Board's recent decision that it was fine for Governor Doyle to accept a free trip from a big campaign contributor to attend a college basketball game in New Orleans in 2003 as well as their decision that the former acting Secretary of Transportation had no conflict of interest when he awarded a no-bid contract to design an outrageously expensive website at taxpayers expense to a firm in which he had a sizeable financial interest--are two prominent examples of why we need reform now.

Clearly, Wisconsin's Ethics and Elections Boards are merely paper tigers who seem to act more as enablers of misconduct and improper activity than as the effective state enforcers of the law that Wisconsinites deserve to have and have a right to expect. We need a thorough overhaul of our state watchdog agencies and Senate Bill 1 is the vehicle to do it.

We look forward to working with this committee and with the staff of the state Ethics and Elections Boards, to reform these agencies. Thank you.



# WISCONSIN STATE LEGISLATURE





210 N. Bassett St., Suite 215 / Madison, WI 53703 / 608 255-4260 / [www.wisdc.org](http://www.wisdc.org)

## **Testimony of the Wisconsin Democracy Campaign on Senate Bill 1**

### **Senate Campaign Finance Reform and Ethics Committee May 18, 2005**

Ethical standards in Wisconsin politics have badly slipped and corruption has taken root at the Capitol. A big part of the problem is that the watchdog agencies charged with enforcing the state ethics code and campaign finance laws are toothless. The Wisconsin Democracy Campaign strongly supports Senate Bill 1 to restore integrity and independence to the enforcement of high ethical standards in state and local government. Independent ethics enforcement also is a top reform priority of the People's Legislature, a rapidly growing, multi-partisan citizen network working to restore our democracy to good health.

The state Elections Board and Ethics Board have provided countless examples in recent years of why they are not up to the task of policing either ethics in government or the way election campaigns are conducted in Wisconsin.

Here are just a few such examples:

The Elections Board has repeatedly chosen to look the other way even when confronted with evidence of flagrant violations of campaign finance laws. In one instance, a major campaign donor was found to have been among numerous contributors who substantially exceeded the \$10,000 annual limit on campaign contributions. The contributor appeared before the Elections Board, admitted she had exceeded the limit, and offered to pay a fine to make amends for the illegal campaign contributions. The board refused to take her money and imposed no penalty of any kind on her or any of the other violators.

A "Citizens Right to Know" law was enacted in 1998 requiring the Elections Board to create a system of electronic filing of campaign reports by July 1999. The board squandered several hundred thousand dollars it initially received without successfully implementing an electronic disclosure system. More than two years after the deadline for implementation of the Citizens Right to Know law, the board submitted a request to the Joint Finance Committee for \$3.5 million to fund development of the new system, which the committee rejected. After battling years of bureaucratic foot dragging, the Wisconsin Democracy Campaign and another citizen

group hired a law firm to pursue a court order. Under threat of a lawsuit, the Elections Board adopted an emergency rule we drafted implementing a system of electronic filing – *at no additional cost to the taxpayer*. Four years after the Legislature passed it, the Citizens Right to Know law finally took effect.

The Elections Board's bungling of Citizens Right to Know implementation and its \$3.5 million funding request to do work that we ultimately proved could be done at no extra cost by adoption of a simple rule should cause taxpayers and elected officials alike to shudder as the board embarks on the state voter registration project.

The Elections Board entered into a contract on November 12, 2004 with the global outsourcing firm Accenture to develop a statewide voter registration list. Under the contract, Accenture is to be paid \$13.9 million for computer software development and maintenance. In addition to the \$13.9 million for Accenture, millions more are being spent on other aspects of the voter registration project – including \$2.7 million to another private firm, Deloitte Consulting, for project management and \$10.2 million for state Elections Board staff oversight, hardware and data entry – for a total cost of \$26.8 million. In contrast, Minnesota relied on state employees to do its statewide voter list and completed the work at a cost of \$5.3 million.

Just as important is the issue of whether it was appropriate for an unelected official serving at the pleasure of an unelected board to single-handedly enter into a \$14 million contract with a highly controversial private vendor to create something as fundamental to our democracy as our state's voter registration list without opportunity for meaningful public input.

The Elections Board did not vote to approve the contract before it was signed, and did not vote to authorize a Request for Proposals soliciting bids from private vendors. Elections Board staff also withheld information from the public about the status of the contract when briefing board members. Accenture was chosen in mid-October and a letter of intent was issued on October 15, 2004 awarding the contract to the company. But a report presented to the board on October 20 said only that the procurement process was proceeding and that a final vendor had not yet been selected. The public was kept in the dark on this matter until after the deal with Accenture was reached.

The Democracy Campaign believes the Accenture voter-list contract is a horribly raw deal for the taxpayer that was cut in a secretive and dangerously unaccountable manner, and we ultimately felt it was necessary to file a lawsuit challenging the contract to protect the public's interest in transparent and accountable government decision making.

Perhaps the best illustration of the Elections Board's dysfunction is its response to an open invitation from the state Supreme Court to craft new regulations closing a gaping loophole in Wisconsin's campaign finance laws that special interest groups have exploited to avoid the law's disclosure requirements and campaign contribution limits. Instead of taking the Court up on its invitation, the board instead opted for a rule that institutionalized the loophole. Then the board significantly widened the loophole when it ruled that state political parties also can avoid campaign contribution limits and disclosure requirements in Wisconsin law by running so-called "issue ads."

After the U.S. Supreme Court upheld the federal McCain-Feingold campaign reform law in December 2003 and ruled that issue ads could be regulated and unlimited, anonymous donations known as "soft money" could be banned, the Democracy Campaign asked the Elections Board to revisit the issue and drafted for the board's consideration a proposed truth-in-campaigning rule requiring full disclosure and closing the state soft money loophole.

On three procedural votes, the board voted to move forward with the rulemaking. But when the time came for the vote on final approval of the rule last September, the Elections Board voted down the disclosure rule 5-4. The key vote against the rule was cast by the Democratic Party of Wisconsin's appointee to the board, who had previously voted three times to move forward with the rulemaking – once in January and two more times in March – before higher ups pressured her to change her position.

If Wisconsin had a politically independent board devoted to campaign finance law enforcement such as the one created by Senate Bill 1, the soft money loophole allowing unlimited, anonymous donations that even Trent Lott has called "sewer money" could be closed in Wisconsin. If not for our dysfunctional Elections Board, the "full and prompt disclosure of all election-related activities" that 90 percent of voters supported in the 2000 referendum would be reality. Phony front groups like All Children Matter, Americans for a Brighter Tomorrow, Citizens for Clean and Responsible Government, Coalition for America's Families, Coalition to Keep America Working, Independent Citizens for Democracy, Alliance for a Working Wisconsin, Working Families of Wisconsin and so many others would be a thing of the past.

The Elections Board's failures are due to a fatally flawed structure that has produced a classic example of the fox guarding the chicken coop. On the other hand, the state Ethics Board is equally ineffective but for somewhat different reasons.

Wisconsin is now in the midst of the biggest political corruption scandal in our state's history. A half dozen of the most powerful politicians in the state have been charged with nearly four dozen felonies – including extortion, money laundering, kickbacks, bid rigging, illegal campaign contributions and criminal misconduct in public office. Pretty ugly stuff for the state formerly known as squeaky clean Wisconsin. And powerful testimony to the ineffectiveness of the government watchdog agencies.

The Ethics Board should have been the public's first line of defense against the corrupt behavior that ultimately resulted in these criminal charges. Instead the Ethics Board was asleep on the job. Not only did the board fail to act preemptively to nip these problems in the bud, we eventually learned that the board conducted no investigation of abuses in the caucus offices even after the story broke in the media.

There was no investigation for good reason. Whenever the Ethics Board wants to conduct an ethics investigation, it has to go hat in hand to the Joint Finance Committee and ask for money to fund the probe. Keep in mind that one of the legislators caught up in the corruption scandal – and eventually charged with 18 felonies – was co-chairman of the finance committee at the time. Another former finance committee chairman is now serving time in federal prison.

It is truly mind boggling to think that in Wisconsin we require an enforcement agency to ask a legislative committee for funds to launch an ethics investigation of that committee's chairman. Such a ridiculous situation makes it painfully obvious why we need the kind of independent ethics agency with expanded enforcement powers that is created by Senate Bill 1.

How ethics investigations are authorized and financed is only one of the barriers to good enforcement, however. An even more fundamental problem speaks volumes about why the Ethics Board and Elections Board should be merged into a single enforcement agency under the direction of a far more politically independent board.

The common thread running through most all of the criminal charges and most all of the ethical lapses in Wisconsin politics today is the chase for campaign money. But the Ethics Board is not responsible for policing campaign finances. This bears repeating: *The chief ethics enforcement agency in the state is powerless to respond to the single biggest reason ethical corners are being cut in Wisconsin.* When evidence of corruption surfaces – and nowadays it almost inevitably involves the solicitation or offer of campaign contributions – the Ethics Board's answer to those demanding action is "sorry, that is not in our jurisdiction."

In fairness, our state ethics code and the Ethics Board itself were created at a time when no one could envision the role campaign contributions would play in state elections in the 21st Century. The profound change in the way election campaigns are conducted demands a profound change in the way ethics enforcement is handled. Senate Bill 1 embodies this needed change.

Without this change, we will continue to have an Elections Board that is a jury of politicians' pals, not a jury of citizens' peers devoted to serving in the public interest. We will continue to have an Ethics Board that seemingly has never met a conflict of interest it couldn't tolerate. State law forbids public officials from accepting gifts because of the office they hold. Yet the Ethics Board sees no problem with the governor accepting free flights on the private plane of a big campaign donor.

State law forbids public officials from accepting *anything of value* from lobbyists or the organizations that employ them. Yet the plain meaning of those words – "anything of value" – has not prevented the Ethics Board from giving its blessing to dozens of gifts from lobbyists to this governor and the one who preceded him.

The Ethics Board had no problem with the exclusive contract the College Savings Program Board gave Strong Capital Management even as evidence mounted that the mutual fund company was playing fast and loose with investors' money. New York's attorney general blew the whistle and the rumors of illegal trading turned into a criminal investigation, but the Ethics Board remained untroubled – despite the fact two senators serving on the College Savings Program Board that gave Strong the sweetheart deal to run the state's EdVest program had longstanding political, social and professional ties to Strong.

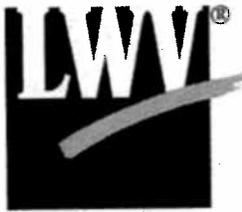
One of the senators sitting on the board that granted Strong its lucrative contract is a former Strong employee whose political career was launched with the help of large campaign donations from Strong executives. To this day much of his net worth is tied up in Strong funds. The other

senator also is a longtime recipient of Strong campaign contributions and her family at one point during her service on the board held more than a half-million dollars worth of Strong funds.

If these relationships do not represent a conflict of interest – as the Ethics Board ruled they do not – then what exactly would amount to a conflict of interest?

We are confident that this question, and so many others that are being deflected or dodged by the Ethics Board and Elections Board, will be addressed – and answered in the public interest – by an independent enforcement agency that is empowered to confront the formidable ethical problems plaguing Wisconsin politics. Senate Bill 1 creates just such an agency. Wisconsin needs this legislation to be enacted in the worst way. And soon.





## LEAGUE OF WOMEN VOTERS® OF WISCONSIN

122 State Street, #405  
Madison, WI 53703-2500

Phone: (608) 256-0827  
Fax: (608) 256-1761

<http://www.lwvwi.org>  
[lwvwisconsin@lwvwi.org](mailto:lwvwisconsin@lwvwi.org)

May 18, 2005

To: Senate Committee on Campaign Finance Reform  
From: League of Women Voters of Wisconsin

The League would like to express our wholehearted support for Senate Bill 1.

The League's advocacy at the state and national levels is always grounded in our underlying commitment to promote an open governmental system which is representative, accountable, and responsive. We also believe that government should function efficiently and economically and this requires clear assignment of responsibility, adequate financing, and coordination among the different agencies of government. Beyond this our campaign finance positions, among other things, require that we work to create and maintain a strong governmental body to monitor and enforce campaign finance laws.

This proposal which places the responsibility for ethics and elections including campaign finance laws under one independent Wisconsin Government Accountability Board has the potential to accomplish the above goals. Strong provisions include that four of six board members will be public members, staggered terms, and provision for new staff in addition to the current staff of the two existing boards. Most importantly the bill creates a specified enforcement division with an executive administrator along with a separate appropriation of funds. It is also good that this division will have independent authority to bring civil and criminal actions in order to enforce our elections, ethics and lobbying regulations and to make appropriate use of the Department of Justice or independent counsel.

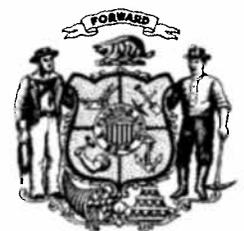
Creating just one agency will provide for clearly defined authority, the ability to do effective work, and needed cost efficiencies.

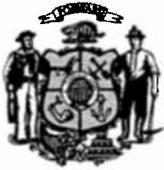
The League believes that this bill's provisions will ensure that good government in these basic areas for which Wisconsin is known will continue to serve the citizens of Wisconsin in a fair and timely way.

We urge you to favorably recommend this bill to the Senate and for passage by the legislature. Thank you very much.



# WISCONSIN STATE LEGISLATURE





STATE OF WISCONSIN  
***ETHICS BOARD***

James R. Morgan  
Chairman  
Paul M. Holzem  
David L. McRoberts  
Dorothy C. Johnson  
Richard Warch  
Courtney L. Hunt

On the capitol square at:  
44 EAST MIFFLIN STREET, STE 601  
MADISON, WISCONSIN 53703-2800  
phone: 608/266-8123  
fax: 608/264-9319  
ethics@ethics.state.wi.us  
<http://ethics.state.wi.us>

May 18, 2005

Roth Judd  
Director

Members,  
Senate Committee on Campaign Finance Reform and Ethics  
State Capitol  
Madison, WI INTER-D

Subject: **2005 Senate Bill 1 injects  
partisan politics into ethics  
code; substitutes political  
operatives for citizen oversight**

*Senator Ellis*

The Ethics Board supports strengthening the standards of conduct that govern our state's officials and the administration of Wisconsin's Ethics Code and lobbying law. Combining the responsibilities of the Ethics Board and Elections Board may have merit and is certainly worthy of consideration. The Ethics Board welcomes this review. That was the message we delivered to the Senate two years ago at a public hearing on a bill similar to 2005 Senate Bill 1. It remains our position today.

**Ethics Board: Take politics out of campaign finance law administration**

An issue that has bothered members of the Ethics Board for some time is the overtly partisan composition of our state's Elections Board, the agency that oversees Wisconsin's campaign finance and election laws. Some two and one-half years ago, the Ethics Board called for the Legislature to take political partisanship out of the enforcement of campaign finance laws.

**SB 1 turns ethics law over to political operatives**

So today, you have before you a so-called "reform" bill, and what is the single greatest reform it advances? It overthrows the nonpartisan citizen board that administers Wisconsin's lobbying laws and standards of conduct for government officials and replaces it with a board dominated by representatives of the Constitution, Green, Libertarian, Democratic, and Republican parties. SB 1 would reserve some places on the new board for people free from party affiliation. How would they be selected? By the chief officers of a group of statewide associations that together spent \$1,500,000 to influence the Legislature's actions during the session most recently ended.

If this newly "reformed" agency is dominated by political insiders, who will ever turn to it for advice? Who will trust its enforcement of the law? If you guessed no one, you would be near the mark. Apparently the bill's author understands that too, so the bill would scrap Wisconsin's 30-year old program of permitting state officials to seek advice about the law from a citizen board before an issue could become a problem and turns this function over to a single employee who is forbidden to reveal to the board the identify of people seeking advice. Because the new board can no longer be trusted to administer the law free from political mischief, the bill assigns the enforcement of the law to still a different employee.

### **Seeds of uncertainty sown**

Currently, a well-intentioned official desiring to determine how the ethics or lobbying law applies to a specific situation in which the official is or is likely to become involved, may pose that question to the Ethics Board. If the official has been truthful and complete in the description of the pertinent facts, then the official may rely on the advisory opinion that the Board provides. That would no longer be the case under Senate Bill 1. Under the bill an official could obtain an advisory opinion from the employee assigned to give advice, rely on that opinion, and still be prosecuted by the employee assigned to enforce the law.

### **Would the bill provide new tools for investigation? No.**

The bill creates no new tools for enforcement of the Ethics Code or lobbying law. Currently the *Statutes* authorize the Ethics Board to investigate possible violations of the Ethics Code and lobbying laws "whenever circumstances warrant." The Ethics Board does not require a sworn complaint, or any complaint at all. In the overwhelming number of cases that the Board has investigated and obtained penalties, the Ethics Board undertook the matter without anyone's having filed a complaint. Oversight by a citizen board is both a spur to action and a temporizing influence against witch-hunts. Once an inquiry is underway the Board, on its own, may issue subpoenas, compel testimony, and require that documents be produced.

### **Vigorous enforcement and prevention**

Over the years, the Ethics Board has brought charges against majority leaders of both houses, chairs of the Joint Committee Finance, two Attorneys General, two Secretaries of State, a Justice of the Supreme Court, a state Treasurer, an Insurance Commissioner, two Governors, and more than a dozen legislators. Two Senators have gone to jail; both forfeited their offices. Although every one of these actions was merited, the Ethics Board aims to spend the lion's share of its effort on addressing issues before they become problems. We want a state known for the good conduct of its government officials, not the number of its convicted felons.

In 2001, the Ethics Board sought and secured the abolition of the legislative caucus staffs, secured a definition of "campaign activity", made a legislative employee's engagement in campaign activity during work hours *prima facie* evidence of a violation of the Ethics Code, instituted a system for accounting for legislative employees' hours of employment, required legislators to attest monthly that they had not assigned campaign activities to their employees during business hours, began required ethics training for legislative staff, and effected a sea change in the

Legislature's operations. Even though individual cases drag on in our court system, the Ethics Board resolved the institutional problems three and one-half years ago.

### **Our wish list for a better government**

Wisconsin's law is not perfect, not nearly so. The *Statutes* sometimes permit an official to engage in conduct that undermines citizen confidence in government. The Ethics Board has, in the past, recommended a number of remedies. They include:

- Repeal the statute authorizing a state government official to accept food, drink, lodging, and travel that the official determines to be for the state's benefit;
- Forbid an elected official or an official appointed by an elected official to act on the award of a contract to a campaign contributor;
- Foreclose a legislator from accepting employment from a lobbying organization within 12 months after leaving office;
- Foreclose an officer of a state regulatory agency from accepting employment from a business he or she regulates;
- Codify by statute the Legislature's rules that address campaign activities of legislative employees; and
- Provide a sum sufficient for investigations.

The Ethics Board, in 2002, produced for the Legislature a list of more than fifty suggestions for strengthening Wisconsin's campaign finance, ethics, and lobbying statutes. Senate Bill 1 implements none of them. We re-offer that list to you.

### **Retain citizen involvement. Implement substantive reform.**

We close, as we opened, by saluting the authors for their willingness to consider strengthening the administration of all our state's good government laws by combining their administration into one agency. This idea merits consideration. Thank you for leading the discussion.

We also ask two things of the committee:

1. Do not stifle the voices of ordinary citizens in the enforcement of our good government laws. Do not turn the enforcement of these important laws over to bureaucrats. Keep the party operatives, political partisans, and lobbying forces off the bodies that administer these statutes.
2. Please consider the dozens of substantive improvements that the Ethics Board has requested and of which we have, above, listed only a sample.

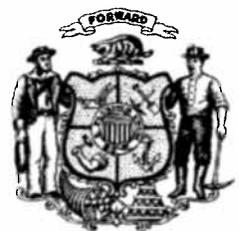
Sincerely,



James R. Morgan, Chair  
Roth Judd, Executive Director



# WISCONSIN STATE LEGISLATURE



Statement to the Senate Committee on Campaign Finance Reform and Elections in  
Support of Senate Bill 1  
Relating to the creation of a Government Accountability Board

Wednesday, May 18, 2005

The Coalition of Wisconsin Aging Groups strongly urges that Senate Bill 1 be passed. Wisconsin needs an independent ethics enforcement agency that is under the direction of a politically independent board with appropriate personnel to enforce our ethics and election laws.

Submitted by Dawn Stucki  
On the behalf of The Coalition of Wisconsin Aging Groups  
2850 Dairy Dr., Suite 100  
Madison, WI 53718-6751



no date

Thank You. Mr. Chairman and Committee members. I am Tom Thoresen, a private citizen speaking in support of Senate Bill 1. I recently retired after 30 years of State Service. My first 41/2 years were working in the Legislature and the next 25/1/2 in Department of Natural Resources Law Enforcement. I retired as the Deputy Chief Conservation Warden.

I'd like to briefly explain from my perspective why this Bill is necessary and an important step to improving integrity in State government. Secondly, I like make a suggestion to improve this Bill before it leaves committee. But before I start, I'd like to read a quote from Teddy Roosevelt as I believe it gets at why the suggested changes in Wisconsin's watchdog systems are necessary.

(Read Quote) "We can afford to differ...."

Roosevelt makes a couple of key points in this statement... The need for "honesty" in those in public service and secondly that we can not condone corruption in government. Ask yourself what systems do we have to root out corruption in government? First and foremost we have a free press that helps keep politicians/government servants honest and our democracy in line by reporting those issues relating to ethics and elections. While the press can bring some pressure to bear i.e. as an example the great editorial in the Wisconsin State Journal just the other day to highlight the need to fund investigators at the Ethics Board. The press can not conduct civil and criminal investigations and enforce the actual ethics and election laws in our statutes. We need the combined Ethics/Elections Board and Enforcement Authority as proposed. The current system is too weak, full of conflicts of interests and understaffed and under funded.

30 years ago when Senator Ellis was in the Assembly representing the 55<sup>th</sup> Assembly District, I was fortunate enough to work in the Assembly Chief Clerk's Office and see first hand why Wisconsin had a reputation for clean government. My boss at the time Assistant Chief Clerk Tom Melvin, had been in the Assembly since 1965 and expected staff and legislators to be doing the right thing. When reporters Art Srb and Eldon Knocke reported the "phone use scandal" by legislators, this went a long way correcting an ethics issue at the Capitol.

I don't need to go into the "Caucus and Pay to Play" scandals that point out the need for reforms such as this bill, but I do need to say that citizens need to have a strong, independent combined Ethics and Elections Agency that they have confidence that any complaint will be looked at objectively. The problem right now is both the Ethics and Elections Boards are essentially political appointees of the existing power structure and citizens are concerned how any complaints will be handed. Secondly, both staffs are woefully understaffed/funded and citizens are really not aware of what they can and can not investigate. Citizens are also concerned about going to the Attorney General over the concern of how will any complaint or investigation be used politically as some citizens feel the "A.G. stands for "Aspiring Governor". An independent agency that is perceived to function like a civil servant based on common sense and the law is what citizens are looking for and the state needs.

2

**"We can afford to differ on the currency, the tariff, and foreign policy; but we can not afford to differ on the question of honesty if we expect our republic permanently to endure. ... Honesty is not so much a credit as an absolute prerequisite to efficient service to the public. Unless a man is honest, we have no right to keep him in public life; it matters not how brilliant his capacity. ... The weakling and the coward cannot be saved by honesty alone; but without honesty, the brave and able man is merely a civic wild beast who should be hunted down by every lover of righteousness. No man who is corrupt, no man who condones corruption in others, can possibly do his duty by the community."**

**-- Theodore Roosevelt**

(3)

I'd also like to suggest to the Committee to amend the Bill to make the "Enforcement Administrator" that is proposed be an "unclassified" position that serves a 4 to 6 year term to a "classified, civil servant position for several reasons. My experience in State Government shows their will be more acceptance of "Classified" civil servant in key enforcement positions such as Frank Meyer or Jim Warren at Justice or Enforcement Administrator at Dept. of Revenue. The secondary benefit of making the position classified is you will draw more candidates to the position. You could specify that the Enforcement Administrator position would need to be reviewed annually and that every four years, the Board do a full review of the position and objectives.

I'd like to reinforce that the committee, the Senate and the full legislature pass this reform measure. It is taking a step to independently restore integrity to Wisconsin's State Government. Think back to what Teddy Roosevelt and Bob LaFollette were fighting for 100 years ago. ...Civil Service systems, Ethics and election reforms that took big money out of buying politicians and elections. We need to pass Senate Bill 1.

Thank You.



## **Government Accountability Board Membership**

### **Current Law:**

#### **Elections Board:**

- Nine members appointed by Governor, no Senate confirmation.
- Two-year terms
- Members selected by:
  - Governor
  - Chief Justice
  - Speaker of Assembly
  - Senate Majority Leader
  - One each by Minority Leader of each house
  - One each by chief officer of political parties with separate ballot status at September primary whose gubernatorial candidate gets 10% of vote (currently Republican, Democrat, Libertarian)

#### **Ethics Board**

- Six members, nominated by Governor with advice and consent of Senate.
- Staggered, six-year terms
- Members must be U.S. citizens and residents of state. May not hold any other office or be employed in the government of the state or any political subdivision. For one year immediately preceding appointment (and during term), members may not have been a member of a political party, an officer or member of a political committee, or a candidate for any partisan office.

### **Proposed Change:**

- Both boards are abolished and replaced with Government Accountability Board.
- At least six members, serving staggered four-year terms.
- Four nominated by Governor with advice and consent of Senate. These nominations must come from a list submitted by a committee comprised of:
  - Chief Justice
  - Dean of UW Law School
  - Dean of Marquette Law School
  - Wisconsin Counties Association
  - Wisconsin Towns Association
  - League of Municipalities
  - League of Women Voters
  - Wisconsin Newspaper Association
  - State Bar of Wisconsin
- Also one member, chosen by chief officer, for each political party whose candidate for a statewide office receives at least 1% of the vote in the general election.
- Other than the political party representatives, no member for one year preceding appointment (or during term) may have been a member of a political party, an officer or member of a political committee, or a candidate for any partisan office. No member may be a lobbyist or an employee of a principal.

## **Government Accountability Board Enforcement Division**

### **Current Law**

- No specific division. Ethics Board administers Ethics Code and lobbying laws; Elections Board administers Elections laws.
- Ethics and Elections Boards share civil enforcement authority with district attorneys and in some cases attorney general.
- District attorneys and in some cases attorney general exercise criminal authority.

### **Proposed Changes**

- *Current duties of Elections Board and Ethics Board would continue under newly organized Government Accountability Board.*
- Creates a Division of Enforcement within Government Accountability Board.
- Division administrator is appointed by executive director of the board
- Administrator serves a term of at least four years and no more than six years.
- Administrator cannot be removed during term except for cause.
- Enforcement Division is empowered to investigate violations and bring civil and criminal actions to enforce elections, ethics and lobbying laws.
- Before prosecuting any alleged criminal violations, division must provide written notice to district attorney of the county in which the alleged violation occurred. If the DA fails to prosecute or declines to prosecute within 30 days, the division may then prosecute.
- Enforcement Division has independent authority to investigate and prosecute violations of ethics, elections and lobbying laws without consent of Government Accountability Board.
- Enforcement Division may request investigatory and prosecutorial assistance from Justice Department.
- Division may appoint special counsel paid from GPR, sum sufficient, to assist.
- Division may publish a notice of nonacquiescence in any action or formal opinion of the Board in the Wisconsin Administrative Register. Thereafter, division is not bound by that opinion or action.
- Division must act on any sworn complaint, unless it is found to be without merit. Division may also investigate violations of ethics, elections or lobbying laws on its own initiative or upon direction by the board.
- Decisions of division may be appealed to the board or directly to circuit court.
- If a division is not appealed or is not modified or overturned, it becomes a decision of the board, which is also subject to judicial appeal. If the board modifies or overturns a decision of the division, that decision may also be appealed.

## **Enforcement Division Funding**

### **Current Law**

- Both Ethics and Elections Boards are funded with sum certain GPR appropriations. Both boards also finance some operations with Program Revenue.

### **Proposed Changes**

- Creates a separate GPR appropriation for Enforcement Division.
- Board is required to forward division's budget request to DOA without change, unless division concurs in change.
- Division may request supplemental appropriation from JFC without board's concurrence.

### **Effective Dates and Other Provisions**

- November 1, 2005, the bill becomes effective and Board members may be appointed and take office. The board may hire staff and expend funds.
- However, existing Ethics and Elections Boards continue in operation until May 1, 2006, and Government Accountability Board may not exercise administrative or enforcement authority until then.
- Director of Legislative Council serves as executive director of Government Accountability Board until executive director is appointed and qualified.





WisBusiness.com | WisPolitics.com

5/16/2005

## Joint Finance Committee Proves the Perils of Full-Time Legislators

By Patrick Durkin

Much like Michael Jackson and runaway brides prove the waste of round-the-clock news broadcasts, the Wisconsin Legislature's Joint Finance Committee proves the perils of full-time legislators and no-fail re-elections.

By now you've heard how the committee wants to divert about \$1.4 million from the sale of the state's turkey, waterfowl and Great Lakes fishing stamps and move it to the general fish and wildlife account. These disrespectful lawmakers propose the diversion, even though their predecessors created those stamp programs decades ago to assure those funds went only to their designated programs.

The JFC rationalized this "one-time" diversion, saying it would help recruit and train new conservation wardens, and buy new radios and communications gear for the warden force.

Who can be against that, right? Well, it's still a bad precedent and improper use of segregated funds. And a one-time event? Come on. How many lawmakers can eat just one? Or take just one nip?

Please realize the JFC wouldn't have to divert those funds if they met the governor and Department of Natural Resources even half-way, and raised the cost of a deer license to \$25 or \$26. Even though the DNR had wide support from hunting and conservation groups to raise that fee from \$20 to \$32, the JFC decided \$24 was good enough.

Also realize while the JFC is trying to divert funds, it's also trying to slash high-ranking warden positions, and arrogantly dismissing those jobs as the domain of lazy "bureaucrats." The five jobs they propose eliminating are the "regional natural resource warden managers," posts held by career wardens who have risen through the ranks to oversee one of the DNR's five districts.

Who are these regional wardens? I'm guessing most hunters, trappers and anglers who know wardens Byron Goetsch of Green Bay, Kevin Mikelberg of Milwaukee, Mike Bartz of Spooner, Mark Burmesch of Eau Claire and Barb Wolf of Madison think "Gray Shirt," not "Bureaucrat" when hearing their names. The same goes for their predecessors, such as Larry Kriese of Green Bay, Tom Harrelson of Madison, Jim Blankenheim of Rhinelander, Rolland Lee of Green Bay, John Plenke of Spooner, Doug Hoskins of Milwaukee and Dave Zeug of Spooner, to name a few.

Lawmakers, predictably, say the state needs more wardens patrolling the fields, not pushing paper in the office. Such stereotypes might play in Potosi and Poplar, but they're insults that minimize the efforts of these veteran wardens.

No one accused Bartz of being a bureaucrat when he organized wardens, sheriff's deputies and other law-enforcement officers in Sawyer County last November to snare Chai Soua Vang as he left the woods after killing six deer hunters. Blankenheim didn't hide behind his file cabinets when angry mobs crowded North Woods boat landings during demonstrations against Chippewa spearing rights 20 years ago. And Kriese looked more comfortable toting a Thermos than pouring office coffee while coordinating containment and evacuation efforts in 1996 when a train derailed in Weyauwega.

Just last fall while filling in for a warden called to active military duty, Goetsch didn't need to brush up on the regulations book when helping Warden Mike Young nab nine violators near Shiocton for multiple waterfowl violations. Goetsch also needs no reminders of how to run all-night stake-outs to protect spawning sturgeon on the Wolf River.

When lawmakers say they're putting more wardens into the field, ask for specifics. Wisconsin's DNR is

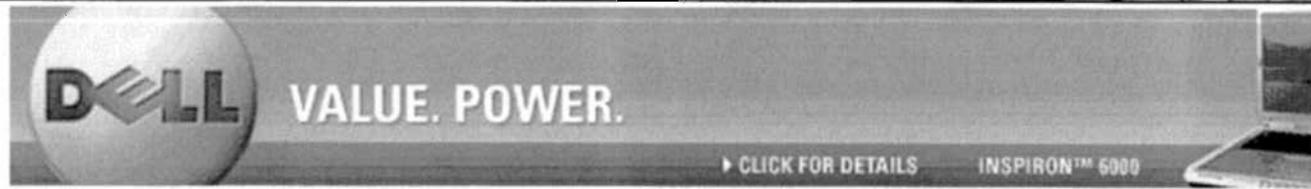
M.B.  
Good Reading!

authorized to employ 203 wardens, yet only 172 are on the job. In addition to 28 vacancies, three have been called to active military duty. If you think returning five regional supervisors to the field will help, consider who will handle their administrative duties, which won't disappear. Lower-ranking wardens will get stuck with them, and where do you think they'll spend that time, the office or afield?

If we want to cut costs, we should consider returning all legislators to part-time service. Either that or make them participate in "take your legislator to work" days so they know something about the jobs they're trying to eliminate.

-- Durkin of Waupaca is a free-lance writer who covers outdoors recreation in Wisconsin. Write to him at 721 Wesley St., Waupaca, WI 54981; or by e-mail at [patrickdurkin@charter.net](mailto:patrickdurkin@charter.net)





ON WISCONSIN : LIVE : TV & RADIO :

E-MAIL THIS

# Getting crowded, getting right

Posted: May 11, 2005

Article search:

(SEARCH)



Today's LIVE

- Arts
- Bookshelf
- Dining
- Festivals
- Movies
- Music & Night Life
- Puzzles & Comics
- Summerfest
- TV & Radio
- Visitors' Guide

YOUR LIVE GUIDE

### CALENDARS

- All Calendars
- Auditions
- Books
- Children
- Comedy
- Concerts
- Dance Concerts
- Dances
- Etcetera
- Festivals
- Fine Arts
- Holidays
- Museums
- Music
- Nightlife
- Performing Arts
- Singles
- Speakers
- Theater
- Waukesha

ONWISCONSIN.COM

## On TV



### Mike Drew

E-MAIL | ARCHIVE

Every Sunday morning, Americans worship their respective deities: in church, the great outdoors, etc. A smaller group assembles tubeside. There, they ponder various gathe yakkers - politicians and the people who are trying to e sense from their utterances.

Last month, WTMJ-AM (Channel 4) complicated life fo Milwaukee chapter of this curious breakfast club. By a local newscast from 8 to 9 a.m., the station condensec window of panel-show windbagging from three hours (8 to 11 a.m.) to two.

NBC's "Meet the Press," Sunday morning's national ratings leader, slid from a.m. start to 9. At 8, it had the politics-as-warfare game pretty much to itself.

So, now, WITI-TV (Channel 6) with "Fox News Sunday" and Chris Matthews WISN-TV (Channel 12) entice Tim Russert fans. For people with cable, CNP meritorious "On the Story" is another option. Joining the noisy fray at 9:30: C "Face the Nation" and ABC's "This Week."

Meanwhile, WDJT-TV (Channel 58), Milwaukee home of CBS' venerable ma: "Sunday Morning," from 8 to 9:30 a.m., can be heard whispering "thanks so to Channel 4. Channel 4 and rival news operations at TV6 and 12 are dividin local news audience. With the schedule change, Channel 4's Charlie Sykes. formerly faced the Fox show and Matthews at 9, can't be sorry to avoid Fox, competition from fellow conservatives Bill Kristol and Brit Hume. In his 10 a. Sykes faces only "This Week's" George Stephanopoulos, still struggling with woes. People who choose Stephanopoulos over Sykes can catch up on loca with Channel 58's Mark Belling at 10:30.

Advertisement

## Charlie's clout

I've been thinking a lot about Sykes lately. It start

**FEATURES**

- Homes
- Travel
- Forums

**HIGHLIGHTS**



**MARKETPLACE**

- AdFinder
- Jobs
- Cars
- Real Estate
- Rentals
- Personals
- General Classifieds
- Buy & Sell Tickets
- Contests

**ONWISCONSIN**

**SERVICES**

- OnWisconsin.com
- E-mail Services
- E-mail Directory
- Lottery Results
- News Updates
- Map & Directions
- Search By Phone #
- Sports Updates
- Stock Quotes
- TV Listings
- Weather Forecasts
- White Pages
- Yellow Pages

**ONLINE**

**HELP**

- FAQ Answers
- Set Home Page

School of Continuing Education

**More**

**Classes,**

**Possibilities,**

**Instructors,**

**Flexibility.**

**Learn More**

MILWAUKEE

SUMMER 2005

three recent talks I've attended in which speakers influence on public policy.

Both Rep. Sheldon Wasserman (D-Milwaukee) and Milwaukee County Supervisor Gerry Broderick, ne Sykes fan, said their nervous colleagues pay far t attention to Sykes' rants on WTMJ-AM (620) and 4.

Both object to his relentless right-wing positions a claims that he's really an entertainer.

In a Milwaukee speech, Madison's Jay Heck, ex director of the non-partisan group Common Caus Wisconsin, echoed Wasserman's views on Sykes Madison. He said:

"The Sykes Republicans from southeastern Wisc worried that he will castigate them by calling them 'Republicans in name only.' So (he makes it) very for Republicans to be independent of the party lin issue."

As I pondered this, the 2005 first-quarter Arbitron ratings arrived, with interest focusing on midday r for listeners 12 and older.

WTMJ's audience there, including two hours of S his conservative colleague Jeff Wagner, dropped 10.3% share of the audience last fall to 8.6%. Thi a national slump for conservative talk.

With the almost even split between potential lister the left and right, wouldn't talk stations increase a with some philosophical balance?

How many WTMJ news-sports listeners, and potential listeners, abandon st don't climb aboard because of one-sided predictability from Sykes and Wag Aren't many people still ear-weary from the divisive presidential campaign?

Public policy junkies still care, but many want to hear from both sides. Every at 9 a.m., that prompts me to suffer Fox's pompous Hume and the pleasant doctrinaire Kristol.

When some brave caller deigns to question Sykes or Belling at WISN-AM (1 they're often obliterated. Those two smart, prepared ideologues sometimes resist adding an extra shove out the door.

**Seeking balance**

Browser Plug-Ins  
Contact Us

How many potential news-talk fans have both stations sent to National Public Radio or the Ideas Network on Wisconsin Public Radio? Few unbiased observers would say with the right that public radio is a left-wing bastion. And what happens to the Belling audiences if left-wing Air America gets a Milwaukee base? It can't be

So, whither Rush Limbaugh and his clones' role in next year's congressional election?

Be prepared, Wisconsin political/media junkies: 2006 will be another bitterly contentious year.

Concerned with the role talk radio and bloggers played in President Bush's victory, newspapers can be expected to pay closer attention to errors in their spin. This came up in a Lucius W. Nieman symposium on the election last fall at Marquette University, where experts from around the country analyzed several weaknesses in coverage of the campaign.

From the May 12, 2005, editions of the Milwaukee Journal Sentinel  
Have an opinion on this story? [Write a letter to the editor](#) or start an [online forum](#)

Subscribe today and receive 4 weeks free! [Sign up now.](#)

## Mike Drew Archive

-  [Getting crowded, getting right \(5/11/05\)](#)
-  [Thumbs up? Ask TV programmers \(4/27/05\)](#)
-  [ABC news chief wrestling with future of 'Nightline' \(4/19/05\)](#)
-  [Garbacia's step back leaves news hole \(3/30/05\)](#)
-  [Readers sound off on bias in media and TV sex \(3/16/05\)](#)
-  [Keeping quality shows on air a job for us all \(3/2/05\)](#)
-  [Scandals show toll of TV news' star system \(2/16/05\)](#)
-  [From Eubanks' leer to 'Desperate' lust \(2/2/05\)](#)
-  [Remembering a memorable interview with Johnny \(1/26/05\)](#)
-  [Seeming tilt to right unsteadies PBS fans \(1/5/05\)](#)
-  [More ...](#)

## About Mike Drew

Mike Drew, former TV critic for the Milwaukee Journal, has written about television for the Milwaukee Journal and the Milwaukee Journal Sentinel for 40 years. He has been nationally syndicated and won several writing awards. Drew has taught criticism and has been a leader of two TV Critics Associations.

Copyright © 2005, Journal Sentinel, Inc. | [Privacy](#) | [Contact Us](#)