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Details:

(FORM UPDATED: 08/11/2010)

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

**2007-08**

(session year)

**Assembly**

(Assembly, Senate or Joint)

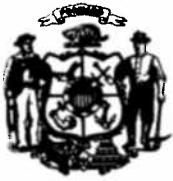
**Committee on ... Elections and Constitutional Law  
(AC-ECL)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**
- Record of Comm. Proceedings ... **RCP**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

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



STATE REPRESENTATIVE  
**GORDON HINTZ**

WISCONSIN STATE ASSEMBLY

54th DISTRICT

March 4, 2008

Rep. Sheryl K. Albers  
Chair, Assembly Committee on Elections and Constitutional Law  
Room 115 West  
State Capitol  
HAND DELIVERED

Dear Rep. Albers,

Thank you for your March 3 correspondence regarding my request for a hearing on AB 250, the Impartial Justice bill. I appreciate your willingness to consider a hearing on a modified bill.

Originally AB 250 was scheduled for a hearing before your committee on December 27, 2007, but was cancelled shortly thereafter and has yet to be rescheduled. Since that time, Wisconsin state revenues and fiscal projections have put our state budget in a deficit estimated to be \$650 million. At a time when every expense and exemption should be cautiously examined, I understand and appreciate your cautious approach. It is worth noting however, that the Assembly alone supported increasing the general fund deficit by \$61.4 million in passing AB 770 and AB 671 last week, an amount more than 20 times the maximum cost of this bill.

The State Senate recently passed SB 171, a similar bill to AB 250. SB 171 includes the addition of partial funding through an increase in the Wisconsin election campaign fund check-off from \$1 to \$3, with the additional \$2 going towards the proposed Democracy Trust Fund. Assuming a comparable number of people participate in the check-off program that did in 2006, an estimated \$422,616 in funding would be raised annually. Since there are only seven elections over a ten-year period, the Democracy Trust Fund would be built up over time. Per the Fiscal Estimate Narrative: "Historically only a small number of elections for Supreme Court Justice are contested in a ten-year period. This would limit the amount of funds required for the Democracy Trust Fund over a ten-year cycle."

Additional potential funding sources that are currently used for public financing in other states include voluntary contributions, surcharges on all civil and criminal fines and penalties, and funds received from fines, penalties, and interest. I would be happy to propose and discuss these and other funding alternatives.

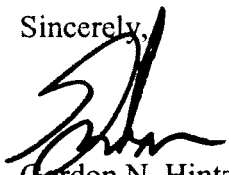
However, there is a cost to the state of doing nothing to reform our Supreme Court elections. In the past few months we have seen at least one important issue left undecided before the court due to a 3-3 decision, with a Justice withdrawing from the case because of a conflict of interest involving a donor as one of the parties in a lawsuit. These cases are sent back to circuit court where the judicial process starts over at great cost to all parties including the state. As Supreme

Court candidates continue to be required to raise millions of dollars to win a seat on the bench, there will likely be more justices who recuse themselves from future decisions involving donors.

It is not a surprise that all seven sitting Justices recognized the need for judicial election reform through public financing in a letter to every member of the legislature in December 2007. While there were obvious concerns with justices removing themselves from important decisions, there was equal concern with the public perception of an impartial court.

I appreciate your attention to the fiscal estimate of the bill and your consideration of alternative funding that could make AB 250, the Impartial Justice bill, more viable.

Sincerely,

A handwritten signature in black ink, appearing to read "Gordon N. Hintz". The signature is stylized and cursive.

Gordon N. Hintz

State Representative-54<sup>th</sup> Assembly District