



To: Senate Committee on Government Operations and Consumer Protection
From: Rep. Dana Wachs
Date: December 17, 2015
RE: Testimony in Support of SB 423, the "Revolving Door" bill

Chairman Stroebel and Committee Members,

Thank you for giving us the opportunity to testify on Senate Bill 423, the "Revolving Door" bill.

This bill will prohibit any individual who serves in the Legislature from being employed as a lobbyist for 12 months following the date on which they leave office. Last session, I introduced a similar bill with a 24-month "cooling off" period, but that bill failed to be given a public hearing or put to a vote. I circulated that bill earlier this session as well. However, after discussing this proposal with Senator Stroebel, we decided to co-author the bill you have in front of you today. I'm pleased to announce that we have strong bipartisan support with 29 total co-sponsors, 11 of which are Republicans.

Right now it is absolutely crucial that we restore public confidence in legislative ethics. This bill will help to ensure that those of us who are entrusted with the honor and privilege of representing our constituents will not do so with the goal of "cashing in" for a high-paying special interest job down the road.

With a cooling off period in place, we can be sure that legislators will not be able to leave office and immediately go to work lobbying on the state budget. Legislators will not be able to immediately use their personal relationships and influence to curry favor with former colleagues on behalf of powerful special interests. The piecemeal reactive influence of special interests does not make for good public policy.

Wisconsin is woefully behind on this issue. Presently, 26 states already have one year bans in place, and 9 states have two year bans. At the federal level, the Honest Leadership and Open Government Act became law in 2007 following the Jack Abramoff scandal. Former senators and high-ranking officials from the executive branch must wait two years before lobbying Congress, and former House members must wait one year. Given the popularity of the United States Congress, I think the fact that they are one step ahead of us on this issue is something that we should remedy immediately.

My local newspaper, the Leader-Telegram, recently ran an editorial in support of this bill. In their argument for the bill, they mentioned that "more than 30 states have a waiting period-usually a year or two-before ex-lawmakers can become lobbyists. Wisconsin should join that group to at least buffer the possibility (probability?) of lawmakers cutting deals with legislative colleagues within days of-or even before-leaving office and setting up their lobbying businesses."

I think we can all agree that as legislators we should focus on creating jobs for others, not for ourselves.

Again, thank you, and I would be happy to answer any questions you have regarding this bill.

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LEADER TELEGRAM.COM

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EDITORIAL

'Revolving Door' bill would help at least a little

Every poll you read tells us that public trust in elected officials is lower than a snake's belly.

This should surprise no one. Politicians telling us they want to do what's best for "the people" while being influenced by unlimited amounts of money from donors largely anonymous to the rest of us insults the intelligence of anyone paying attention.

Whether the checks are written by mining companies, public-employee unions, hospital groups, big business, big labor, environmentalists or whomever, the political process is poisoned to unprecedented levels by this obscene buying and selling of influence.

Although his effort may be largely symbolic even if it succeeds, state Rep. Dana Wachs, D-Eau Claire, is trying again to get bipartisan support for a bill that would prohibit lawmakers from becoming lobbyists for at least a year after leaving office. The "Revolving Door" bill, as Wachs called it in a press release, didn't receive a hearing when he introduced it two years ago.

He hopes this time will be different. He reports 29 co-sponsors, including 11 Republicans. The bad news is there are 132 members of the state Legislature, and Senate Majority Leader Scott Fitzgerald is the brother of a former Assembly speaker who became a lobbyist two whole days after leaving office in January 2013.

In fact, Jeff Fitzgerald is one of three former Assembly speakers who were or are lobbyists for voucher school backers who successfully got the cap loosened — it will be eliminated entirely in 10 years — on tax-supported vouchers to help pull students and money from public schools. Scott Jensen and John Gard are the other two ex-speakers who turned lobbyists and were involved in pushing voucher legislation. Jim Bender, a former legislative staffer for Jeff Fitzgerald, is president of School Choice Wisconsin.

The National Conference of State Legislatures reported that as of 2013, more than 30 states have a waiting period — usually a year or two — before ex-lawmakers can become lobbyists. Wisconsin should join that group to at least buffer the possibility (probability?) of lawmakers cutting deals with legislative colleagues within days of — or even before — leaving office and setting up their lobbying businesses.

If you've followed the Legislature in recent years, you know the prospects for a bill introduced by a Democrat such as Wachs weaving its way through both Republican-controlled chambers and getting signed by GOP Gov. Scott Walker are about as likely as Minnesota Vikings running back Adrian Peterson being honored by the national PTA as its Father of the Year.

But Republicans should sign on if for no other reason than it's good public relations. With a recent Pew Research Center national poll showing 19 percent public confidence in government's ability to do the right thing, this modest "time out" between legislating and lobbying your former colleagues would send a signal that leaving the Capitol one day and setting up shop across the street the next looking for favors doesn't smell right.

— Don Huebscher, editor



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STATE REPRESENTATIVE

Senate Committee on Government Operations and Consumer Protection

Testimony in Favor of 2015 Senate Bill 423

December 17, 2015

Thank you Mr. Chairman and members of the Senate Committee on Government Operations and Consumer Protection for hearing Senate Bill 423 today.

According to the National Conference of State Legislatures, “At least 33 states have enacted a “cooling-off period” before a former legislator can come back to work at the legislature as a lobbyist.”¹ Generally, laws of this type are also known as revolving door laws.

Under current law in Wisconsin, legislators and certain others are exempt from standards of conduct we impose on other state public officials. To summarize Wis. Stats. 19.45(8)², no former state public official (legislators and certain legislative staff exempt) for one year after he or she leaves office, may for compensation act on behalf of any party other than the state.

Senate Bill 423 closes the existing carve out in the law for any individual who serves as a member of the legislature.

Senate Bill 423 is a bill that protects the institution of the legislature by removing a potential conflict of interest, and the appearance of one, thereby helping to earn and maintain the public’s trust in the legislature.

I have co-sponsored this legislation since my first term in office because I think it makes sense to close this loophole for legislators so that we are treated no differently than other state



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public officials. Your support of this bill will reaffirm the public's faith that the legislature is acting in the best interest of the people.

I respectfully request your unanimous support for 2015 Senate Bill 423.

¹ <http://www.ncsl.org/research/ethics/50-state-table-revolving-door-prohibitions.aspx>

² <http://docs.legis.wisconsin.gov/statutes/statutes/19/III/45>