



# Big Money Bulletin

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Get Big Money



Out of Politics!

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[www.wisdc.org](http://www.wisdc.org)



## WDC ranks legislators on reform issues

In late April, the Democracy Campaign ranked state legislators on democracy reform issues, based on an analysis of roll call votes and bill sponsorships during the 2007-2008 legislative session. The democracy reform scorecard is included as a special insert in this edition of the *Big Money Bulletin*. More information about the analysis is available on the Democracy Campaign's Web site at [www.wisdc.org/pr042908.php](http://www.wisdc.org/pr042908.php).

The analysis shows that well over half of members of the current Wisconsin Legislature are either actively or passively cultivating political corruption and helping special interests control state government by resisting reforms that would put ordinary citizens in the driver's seat and restore the state's reputation for clean and open government.

Support for democracy reform among legislators in both houses was measured by analyzing four roll call votes in the Senate and four in the Assembly. Whether legislators sponsored any of six reform proposals also was taken into consideration. Lawmakers were awarded a full point for each reform measure they voted for, and got a half-point for each bill they sponsored. As a result, the point scale goes from zero to a possible high score of seven.

Legislators were ranked by score and divided into four categories: **Democracy Defenders**, who consistently voted for reform and regularly sponsored and worked for passage of reform initiatives; **Public Allies**, who supported most but not all reform proposals; **Bystanders**, who supported some reform measures but did not actively push for changes limiting special interest influence and cleaning up state politics; and **Public Enemies**, who regularly stood with the special interests and worked to defeat reforms that would restore power to the general public.

A rundown of the bills on which lawmakers were judged is on page two.

**Spread the word about which state lawmakers are working for reform and which ones aren't.**

Share the democracy reform scorecard in this *Big Money Bulletin* with friends, family, neighbors, co-workers and others in your community.

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## **Democracy reform scorecard**

### **What they were judged on**

Just about every politician claims to be on guard against corruption and in favor of reforms that promote clean, open and honest government. But few walk the talk. The Democracy Campaign measured the sincerity of state legislators by analyzing four roll call votes in the Senate and four in the Assembly. Whether legislators sponsored any of six reform proposals also was taken into consideration.

The roll call votes on an ethics enforcement reform bill – January 2007 Special Session Senate Bill 1 – that was enacted into law last year were included in WDC’s analysis for both houses. The other three roll call votes in the Senate were on electioneering disclosure (Senate Bill 77), publicly financed state Supreme Court elections (SB171) and requiring legislators to wait one year after leaving office before becoming a lobbyist (SB23). In the Assembly, the other roll call votes were on banning campaign fundraising during the state budget process (Assembly Bill 61), publicly financed Supreme Court elections (AB250) and electioneering disclosure (AB272).

The reform bills legislators were credited for sponsoring include ethics enforcement reform (SB2), comprehensive campaign finance reform (SB12), prohibiting campaign fundraising during state budget deliberations (SB25/AB61), electioneering disclosure (SB77/AB272/SB463), publicly financed Supreme Court elections (SB171/AB250), and full public financing of all state races (SB182/AB355).

Representatives Mark Gundrum of New Berlin and Roger Roth of Appleton were not included in the analysis because their leaves of absence from the Legislature for military service in Iraq occurred during the time votes were taken on most of the reform bills.

### **Elites funnel big money to ‘527s’**

A Democracy Campaign analysis of contributions to so-called “527s” shows that 346 Wisconsin donors have given a record \$1.5 million to these unregulated political groups so far in the 2008 election cycle. The report also shows these elite donors are bullish on the Democrats, as Democratic 527s received nearly three-quarters of all donations from Wisconsin givers. (More at [www.wisdc.org/pr052908.php](http://www.wisdc.org/pr052908.php))

## **Guilty, but barely punished**

On May 28 the state Supreme Court found Annette Ziegler guilty of judicial misconduct. This marked the first time in state history that a sitting member of the high court was ruled in violation of state judicial ethics rules and the first time the court disciplined one of its own members.

A Democracy Campaign complaint triggered the investigation that led to the Supreme Court’s action. WDC’s complaint focused on 16 cases handled by Ziegler despite financial conflicts of interest.

The court used strong language to describe Ziegler’s offenses as clear-cut violations of the state’s judicial code of ethics, calling her misconduct “serious and significant.” Yet the court got weak-kneed when it

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***After finding Ziegler’s offenses were “willful,” the court only reprimanded her because it also deemed the misconduct “inadvertent.”***

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came to punishment, opting for a public reprimand, among the weakest disciplinary options available to the court.

After calling her violations “willful” the court ruled a reprimand was appropriate because her actions also were considered “inadvertent.”

Along with the seeming contradiction of willful inadvertence, another curious aspect of the court’s decision was how heavily the justices leaned on past precedent in this unprecedented case. Because judges found guilty of misconduct were typically reprimanded in the past, the court overlooked the fact that never before had one of the disciplined judges been a member of the Supreme Court and gave Ziegler the same punishment.

A Democracy Campaign study issued in early January shows there is a double standard in how the court has disciplined judges and lawyers. WDC found lawyers have commonly been suspended, sometimes for misbehavior as seemingly trivial as failing to pay state bar dues on time. Judges, on the other hand, are almost never suspended. The court chose to disregard the disparity in its ruling on Ziegler’s ethical violations.

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## Special interest group spending soars in '08 Supreme Court race

A handful of special interest groups spent a record \$4.8 million to influence the outcome of April's state Supreme Court election, according to a Democracy Campaign estimate. Interest group spending was up 55% over the previous record set last year, when outside groups spent an estimated \$3.1 million.

Leading the way among the special interest spenders was Wisconsin Manufacturers and Commerce, which backed winning candidate Michael Gableman. WMC spent an estimated \$1.76 million on the race.

Other big spenders include the Greater Wisconsin Committee, which spent an estimated \$1.55 million backing incumbent Louis Butler. The pro-Gableman Club for Growth and Coalition for America's Families spent \$507,000 and \$480,000, respectively. Wisconsin Education Association Council, the state's largest teachers union that supported Butler in the race, spent \$349,000.

Other groups spent a total of about \$94,000. The National Rifle Association's Political Victory Fund, which backed Gableman, accounted for just over \$73,000 of that total.

A final tally of candidate spending in the race will not be available until mid-July when campaign finance reports are filed, but those reports are expected to show combined spending by Butler and Gableman of roughly \$1 million.

Data compiled by TNS Media Intelligence show that interest groups did nearly 90% of the television advertising in the Supreme Court race.



## Shhh! Special session on reform quietly adjourned by leaders

Without so much as a press release and unbeknownst to Capitol reporters and reform advocates alike, Assembly Speaker Mike Huebsch and Senate Majority Leader Russ Decker both quietly adjourned a special session on campaign finance reform in mid-May.

In both the Assembly and Senate, the motions to adjourn the special session did not mention campaign finance reform by name, and in both houses the session was ended by a voice vote, not a recorded vote.

Governor Jim Doyle called the special session on November 30 after succumbing to pressure from the Democracy Campaign and other reform

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## ***Leaders ended the special session without mentioning campaign finance reform by name and without a recorded vote.***

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advocates. The session was supposed to convene on December 11, but nothing happened until a comprehensive reform plan was introduced on January 22 at the governor's request as December 2007 Special Session Senate Bill 1.

The bill combined the Ellis-Erpenbach bill (Senate Bill 12) and the Impartial Justice bill (Senate Bill 171) and provided substantial public financing of all state races and full public financing of state Supreme Court elections. It called for a ban on fundraising during the state budget process and eliminated leadership-controlled campaign fundraising committees. The bill also required full disclosure of special interest electioneering done under the guise of so-called "issue advocacy," and placed restrictions on the source of funds used for this campaign advertising.

The special session bill received a hearing in a Senate committee in late January and the committee approved it on February 28. But the full Senate never voted on it, and the Assembly took no action on the measure. It died when the session was adjourned.

## Voucher backers, loan sharks top suppliers of out-of-state money

School voucher supporters contributed \$1 of every \$5 in large individual campaign contributions state policymakers accepted from special interests outside Wisconsin in 2007, the Democracy Campaign reported in May.

School choice supporters were followed by payday lending company executives and attorneys as the top out-of-state givers.

The analysis showed that outside interests target their contributions to those with the greatest influence over state policy. Top recipients included Governor Jim Doyle, Assembly Speaker Mike Huebsch and three partisan campaign committees controlled by legislative leaders.

## The last word Ziegler's follies

The Supreme Court's decision to publicly reprimand Annette Ziegler is both historic and supremely disappointing. Never before has a Supreme Court justice been ruled guilty of judicial misconduct. Which is why more than a slap on the wrist was in order.

Judges are not supposed to be on anyone's side. That's why it's so essential that judges not rule on cases when they have a financial stake in one side. Such conflicts of interest need to be taken seriously when they exist. It will be a tough sell for the court to convince the public of its seriousness when a member of the state's highest court gets more lenient punishment for such intolerable behavior than lawyers get when they don't pay their professional dues on time.

— Mike McCabe



210 N. Bassett St. Suite 215  
Madison, WI 53703

608 255-4260  
[www.wisdc.org](http://www.wisdc.org)