



Big Money Bulletin

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Get Big Money



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Assembly bans budget-season fundraising

State Assembly leaders voted 8-0 on February 4 to approve a rule banning members of the lower house from soliciting or accepting campaign contributions during the state budget process, something the Democracy Campaign has been seeking for years.

WDC strongly believes such a ban also should apply to the Senate and governor and supports legislation to write a budget-season fundraising prohibition into state law. The Democracy Campaign and other reform advocates pushed for such legislation last session. It was approved by a Senate committee in late February 2008 but was never taken up by the full Senate. The Assembly, controlled at the time by Republicans, kept the bill bottled up. A new bill to establish a complete ban on fundraising by all participants in budget deliberations was introduced February 2 as Senate Bill 23.

In a statement, the Democracy Campaign called the Assembly rule a “modest step toward campaign finance reform, (and) a very meaningful budget reform long sought by the Democracy Campaign to prevent consideration of the state budget from being needlessly prolonged in order to raise special interest campaign cash.”

During the last state budget, which was approved four months late, legislators held more than 100 fundraisers between the time the budget was introduced and finally approved eight months later.

Violations of the new Assembly rule can be punished by public censure on the floor of the Assembly or public letter of reprimand, removal from a leadership position or committee or chairmanship of a committee, loss of staff or office assignment, or restrictions on office accounts and spending privileges.

WDC launches impartialjustice.org

A new web site devoted to new threats to the independence of our state courts – and the Wisconsin Supreme Court in particular – is now online at www.impartialjustice.org. Among its features are informational brochures that can be downloaded and printed from the site, videos, an online petition, and a “take action” page providing a to-do list for getting involved in the fight for fair and impartial courts.

The web site is part of WDC’s Judicial Independence Project, which is supported by a grant from the Open Society Institute. For more on the project, see page two.

Project to focus on threats to fair courts, highlight needed reforms

A new initiative of the Wisconsin Democracy Campaign takes aim at emerging threats to the fairness and impartiality of the state's courts.

The Judicial Independence Project is in direct response to record-setting campaign spending, deceptive and degrading advertising, and dominance of a few interest groups in the 2007 and 2008 state Supreme Court elections.

The aim of the project is to build awareness of growing special interest influence over state Supreme Court elections and how interest groups are operating outside current state disclosure laws and campaign finance limitations as they seek control over Wisconsin's highest court. Four pamphlets detailing what has gone wrong with Supreme Court elections and describing reforms that can fix them have been developed and printed in large quantities.

[One of the brochures is enclosed](#) in this edition of the *Big Money Bulletin*. The brochures also can be downloaded and printed from the project's web site, www.impartialjustice.org.

Forums are being planned around the state. The



WDC director Mike McCabe makes a point at the November 2008 "Justice, Money and Politics" forum at the UW Law School. The other panelists, from left, were state Supreme Court Justices Ann Walsh Bradley and Patrick Crooks, and Wisconsin State Journal opinion page editor Scott Milfred. (Photo courtesy of the Badger Herald)

Democracy Campaign is co-sponsoring three forums in March with the Wisconsin Alliance of Retired Americans and the Coalition of Wisconsin Aging Groups in Milwaukee, Green Bay and Madison. WDC-sponsored forums also are in the works in other locations around the state, including La Crosse and Eau Claire.

More action coming on reform

Senate Majority Leader Russ Decker announced January 22 that two major campaign reform bills strongly backed by the Democracy Campaign will be among the first the Senate takes action on in the new session. One requires full disclosure of special interest electioneering. The other is the Impartial Justice bill reforming state Supreme Court elections.

The Impartial Justice bill has been introduced as Senate Bill 40. The electioneering disclosure legislation is Senate Bill 43.

The Senate passed both bills last session, but they were blocked in the Assembly. Party control of the Assembly changed hands in last fall's elections,

Two much-needed and significant reforms can and should be approved in the early stages of the session.

however, and now the majority of members in the Assembly are on record in favor of both bills.

The electioneering disclosure legislation mirrors new rules approved by the state Government Accountability Board in November. In mid-January the GAB took the required formal steps to send the proposed rules to the Legislature and set the review process in motion. As part of that process, the board has set a public hearing for March 30.

Several weeks ago, the Democracy Campaign and nine other groups sent a letter to state legislators and the governor calling for action on campaign finance reforms. The organizations are among close to two dozen that have been meeting regularly to explore common interests and opportunities for collaboration on democracy reform issues.

In the letter, the groups expressed a "collective sense of optimism and enthusiasm over what we regard as the best opportunity to fundamentally change our political system in at least 30 years."

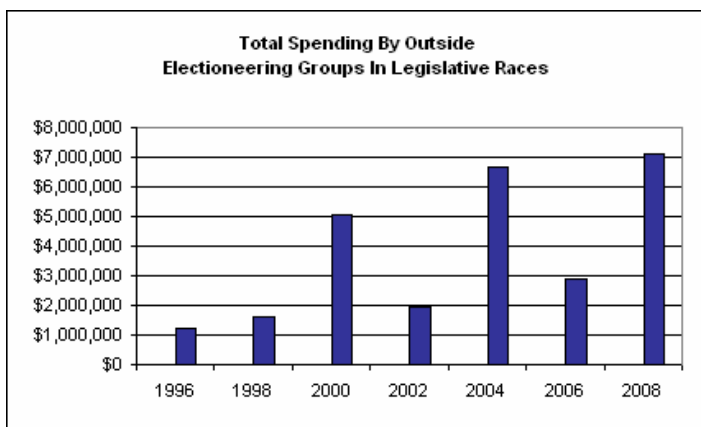
The letter goes on call for prompt action on two "much-needed and significant reforms that can and should be approved in the early stages of the 2009-2010 legislative session," namely full disclosure of special interest electioneering and reform of state Supreme Court elections.

Heavy traffic on the low road

Special interests led by labor and conservative ideological groups spent an estimated \$7.1 million on mostly negative advertising, mailings and telephone calls in 2008 state legislative races, including more than \$1 million on a single Assembly race, the Democracy Campaign reported just before the holidays.

Spending by outside groups in the 2008 legislative races surpassed the previous record of \$6.65 million set in the 2004 legislative races.

Topping the list of outside group spending in the 2008 legislative elections was the Wisconsin Education Association Council, the state's largest



teacher's union, which spent \$2.1 million on television advertising to back Democratic Assembly candidates in five races.

WEAC was followed by the Coalition for America's Families, a conservative alliance of businesses and nonprofit groups that opposes abortion, gun regulation and taxes. The coalition spent an estimated \$1.3 million mostly on television ads to oppose Democratic legislative candidates.

The liberal Greater Wisconsin Committee and All Children Matter, a Michigan-based group that generally supports Republican candidates, rounded out the top four outside electioneering groups. The Greater Wisconsin Committee spent an estimated \$1.3 million mostly on television advertising.

All Children Matter spent an estimated \$900,000 and, like the Coalition for America's Families, accused Democratic candidates of supporting expensive universal health care plans, tax increases and policies that would benefit illegal aliens at the expense of Wisconsin residents.

Shadow groups clean up in '08

Wisconsin contributors gave a record \$3.78 million in the 2007-08 election cycle to unregulated political hit groups that spend most of their money on negative advertising, mailings and other electioneering activities to foul state and federal elections with special interest propaganda, a Democracy Campaign analysis shows.

Fundraising and spending reports filed with the U.S. Internal Revenue Service by these so-called "527" groups, which are mostly business, union and ideological organizations, also show some of them sent millions of dollars back to Wisconsin political and phony issue ad groups that smeared candidates in several legislative races last November.

The \$3.78 million Wisconsin individuals, businesses and unions gave to 527s in 2007 and 2008 shatters the previous record \$2.57 million Wisconsin contributors gave to 527s in the 2001-02 election cycle.

Key findings and highlights of the 527 groups' Wisconsin fundraising and spending include:

- Seven Wisconsin political groups, including three phony issue groups, got \$2.48 million from mostly out-of-state 527 organizations to help fund their electioneering activities in legislative elections and campaigning on behalf of Democratic presidential candidate Barack Obama.
- Greater Wisconsin Committee's 527 group – the Greater Wisconsin Political Fund – got \$1.07 million to spend in key legislative races against Republicans. Advancing Wisconsin, a pro-Democratic grassroots group that campaigned around the state on behalf of Obama and in about two dozen legislative races, got \$918,393. Building a Stronger Wisconsin, which attacked Republican candidates in at least three legislative races, got \$225,000 and Club for Growth Wisconsin, a conservative, pro-Republican group, received \$100,000.
- Fourteen 527 groups received more than \$100,000 in Wisconsin contributions. In all, more than \$2 of every \$3 in Wisconsin contributions in 2007 and 2008 went to Democratic 527 groups – \$2.63 million or 69.7 percent of the total given by donors in the state.

Will Jensen ever face the music?

Former state Assembly Speaker Scott Jensen was originally charged with felony misconduct in public office on October 18, 2002. More than six years now have passed and Jensen's legal fate still has not been decided.

Jensen went on trial once already and was convicted. That was back in March 2006. He appealed his conviction and was granted a new trial on a legal technicality. That was in November 2007. A date for the new trial still has not been set.

After Jensen's original conviction was overturned, Attorney General J.B. Van Hollen said the Department of Justice he leads would not appeal the decision reversing Jensen's felony convictions and granting the former speaker a new trial. Later he said that Jensen should not be retried at all but rather the

reporters at the time that he could indirectly influence Dane County District Attorney Brian Blanchard's decision to retry Jensen by denying the lead prosecutor in the case resources he had during the first trial, including the courtroom help of Assistant Attorney General Roy Korte, one of the Justice Department's most experienced criminal prosecutors.

What made Van Hollen's maneuverings all the more curious was the fact that the second in command at the Justice Department, Van Hollen's hand-picked deputy Ray Taffora, used to represent Jensen. Jensen hired Taffora and his law firm to negotiate with the prosecutor in hopes of ending at least part of the corruption investigation. Taffora's firm also was paid to negotiate a settlement with the state Ethics Board and Elections Board in the case.



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