

## Inside

### Page 2

Legislative races cost \$20 million  
Spending up in spring elections  
Stakes are sky high in court case

### Page 3

Bad budget amendment bounced  
State follows WDC advice on e-filing  
WDC starts tweeting

### Page 4

The place to be on September 12

Make People Matter



More Than Money!

August 2009

Edition No. 66

On the Web:

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

## Legislative fundraising falls in first half of '09

*Assembly ban leads to smallest haul since 1999*

For the first time in 10 years state legislators raised less than \$1 million in a six-month period between January and June 2009 due to the Assembly's decision to ban fundraising during consideration of the 2009-11 state budget, a Wisconsin Democracy Campaign report issued earlier this month showed.

Overall fundraising for the first half of the year was 40% lower than the \$1.52 million legislators raised during the last comparable period when the budget was under development between January and June 2007; 32% lower than the \$1.36 million legislators raised in the first six months of 2005; 28% less than the \$1.28 million they raised in the first half of 2003; and 42% down from the \$1.6 million lawmakers collected from January to June 2001.

Even though the rule banning budget-season fundraising applied only to the Assembly, it appears to have set a tone that also substantially reduced fundraising in the Senate. Contributions to the Senate's 33 members and their two party leadership committees totaled \$585,184 – the least since senators raised \$417,497 in the first half of 1999. It was 30% lower than the \$834,240 raised in the first half of 2007; 9% below the \$646,135 raised between January and June 2005; 10% under the \$650,577 accepted in the first half of 2003; and 41% less than the \$984,556 raised in the first half of 2001.

Governor Jim Doyle's fundraising also was down, foreshadowing his decision not to seek reelection. Doyle took in \$903,586 – more than \$500,000 less than the \$1.44 million he raised in the first half of 2005, the comparable six-month period in his first four-year term.

Without the budget to use as a fundraising tool, lawmakers passed a state spending plan on time for the first time in 32 years.

The Assembly rule – developed in consultation with the Democracy Campaign and strongly supported by WDC – prohibited members of the lower house from accepting or soliciting campaign donations from February 17 when the budget bill was introduced in the legislature to June 29 when it was sent to the governor.

The Democracy Campaign has long sought a change in state law establishing a ban on fundraising during the budget process that applies to both the Assembly and Senate as well as the governor. Legislation was introduced in February in both houses as Senate Bill 23 and Assembly Bill 42, but no action has been taken yet in either house. Senate leader Russ Decker has said he does not favor extending the ban.

## Legislative races cost \$20 million

Proving once again that political campaigning is recession-proof, state legislative candidates and special interest groups that sponsored mostly smear ads and mailings spent a record \$20.2 million in last November's elections, a Democracy Campaign tally compiled in late June showed.

Total spending by legislative committees and special interest electioneering groups in legislative races in 2008 smashed the old record of \$16.6 million set in the comparable 2004 legislative races. It also was 55 percent higher than the \$13.03 million spent by legislative candidates and groups in the 2006 races and nearly double the \$10.32 million spent just six years earlier, in 2002.

Candidates who spent more than their opponents won 86% of the time, prevailing in 99 of the 115 races for seats in the Assembly and Senate. Winners outspent losers \$6.35 million to \$4.24 million.

In a half dozen instances that appeared to be exceptions to the rule, outside interest groups more than made up the difference for lower-spending candidates. Six winning candidates who spent less than their opponents had more outside money spent on their behalf than was spent by their opponents.

Interest groups led by the Wisconsin Education Association Council, All Children Matter, Greater Wisconsin Committee and Coalition for America's Families raised and spent a record \$7.1 million in 2008 legislative races.

The 47th District Assembly race was the most expensive legislative contest in 2008 and the most expensive Assembly race to date. Seven candidates and outside special interests spent nearly \$1.4 million. Republican Keith Ripp narrowly bested Democrat Trish O'Neil in the November election.

## Spending surges in spring races

In the two statewide races on this spring's ballot, those with the most money won. In the state Supreme Court election, incumbent Chief Justice Shirley Abrahamson set a new record for fundraising – taking in \$1.47 million – to overwhelm her opponent. In the election for state school superintendent, a single interest group – Wisconsin Education Association Council – spent more than all five candidates combined. WEAC's favored candidate, Tony Evers, won.

## Supreme Court sends ominous signals in election spending case

There are few remaining barriers to the buying and selling of our government. What little protection is left could be swept away by the U.S. Supreme Court as it prepares to rule on a case that started as a narrow dispute over whether federal election laws apply to a pay-per-view cable TV documentary that was scathingly critical of Hillary Clinton and whose sponsors wanted to use corporate funds to air it during the 2008 presidential primary elections.

The case has mushroomed into something much bigger, with profound implications for democracy and the future of elections in the U.S. After hearing oral arguments in March in the case, *Citizens United*

*v. Federal Election Commission*, the court's majority decided in late June to expand the scope of issues it will consider, and ordered new arguments in September over



whether the court should consider overturning two key precedents involving corporate campaign spending established in a 1990 case, *Austin v. Michigan Chamber of Commerce*, and 2003's *McConnell v. Federal Election Commission*.

At stake is the future of a 1907 federal law banning corporations from using capital amassed in their general treasuries to influence elections as well as Wisconsin's century-old ban on corporate spending in state elections. (A similar federal law applying to labor unions was later enacted and Wisconsin's law is broad and applies to all incorporated entities including nonprofit groups and labor unions.)

Also at risk are the new electioneering disclosure rules approved by the state Government Accountability Board but now on hold pending the outcome of the *Citizens United* case.

The Democracy Campaign joined 19 legal and civic groups from across the country in intervening in the case and filing a brief July 31 with the U.S. Supreme Court urging the justices not to overturn the legal precedents upholding the federal and state laws protecting against corporate dominance of elections established in the *Austin* and *McConnell* cases.

## Attack on ethics agency thwarted

Just over a week before the state budget was finalized, the state Senate inserted an amendment into its version of the budget bill that would have seriously undermined the Government Accountability Board's ability to independently investigate political corruption and other wrongdoing by state officials.

The item cryptically labeled "conversion of investigations GPR sum sufficient appropriation" would have eliminated a key feature of the landmark 2007 ethics reform law that the Democracy Campaign and its reform allies fought so hard for and forced the GAB to get legislative approval of ethics investigations. WDC and other reform groups mounted a strenuous effort to get the amendment removed from the final budget and prevailed in the end. The budget signed into law by Governor Doyle maintains the board's financial independence.

## WDC's advice heeded on e-filing

In July the Government Accountability Board advanced an updated rule to the Legislature spelling out what candidates for state office must do to be in compliance with the 1998 Citizens Right to Know law requiring electronic disclosure of campaign finances.

The board's staff wanted to require that candidates with significant campaign activity file reports of their fundraising and spending exclusively in an electronic format using the GAB's new online reporting system. The Democracy Campaign expressed concern about the reliability and accuracy of the new system, and urged the board to also require a paper backup that can be used to verify the figures reported online. In fashioning the new rule, the board took WDC's advice and required both online reporting as well as the submission of a paper report detailing campaign activity.


WDC's work for electronic disclosure spans more than a decade, starting with the effort to win enactment of the Citizens Right to Know law and then battling bureaucratic foot dragging for four years to get the law implemented. Under the threat of a lawsuit, the now-defunct Elections Board adopted an emergency rule drafted by the Democracy Campaign directing candidates to submit their reports in an electronic format, starting with campaign reports filed in July 2002.


## Democracy Campaign spreads message via social networking

Over the last year the Democracy Campaign has started using Internet-based social networking tools to reach more people – and especially Web-savvy youth – with news updates and action alerts.

More than 1,500 people are following WDC on two Facebook sites devoted to the Democracy Campaign's activities, and nearly 500 more have joined another focusing on WDC's Judicial Independence Project. Four members of the staff – director Mike McCabe, outreach director Debby Anderson Meyer, advocacy director Beverly Speer and research director Michael Buelow – also are maintaining personal Facebook pages.

In another move to cater to the new ways people are accessing information in the digital age, the Democracy Campaign started posting audio podcasts on its Web site in March.

Anyone can go to  **BIG MONEY PODCAST** [www.wisd.org/wdcpodcast.php](http://www.wisd.org/wdcpodcast.php) to download one of the audio programs, and visitors also can subscribe to feeds that automatically alert them to new material or download the podcasts directly into their iTunes accounts or other such audio files.

Twitter is the latest addition to the networking tools WDC now is using. Since starting to send  messages via Twitter in early July, about two dozen "tweets" – 140-character messages that followers receive either in the form of text messages on their cell phones or via the Internet – have been posted.

## Midwest reform groups push Obama on campaign promises

In July the Midwest Democracy Network and its partner organizations – including the Wisconsin Democracy Campaign – called on President Barack Obama to make good on the vow to overhaul election financing he made when opting to run his campaign outside of the federal public financing system. During his campaign, Obama expressed support for both a voluntary public financing system for congressional elections and a revitalized public financing system for presidential campaigns.

## A hootenanny for hell-raisers

The seventh annual Fighting Bob Fest will be held on Saturday, September 12 at the Sauk County Fairgrounds in Baraboo, and the Democracy Campaign will be there for the seventh straight year.

Democracy Campaign director Mike McCabe has been invited to be a main-stage speaker again this year. In the tentative lineup posted on the festival's Web site, [www.fightingbobfest.org](http://www.fightingbobfest.org), he is scheduled to speak at 9:40 a.m.

Video clips of speeches Mike has made in past years at Fighting Bob Fest have been posted on YouTube and are archived on the Democracy Campaign's Web site at [www.wisdc.org/wdcmedia.php#fb](http://www.wisdc.org/wdcmedia.php#fb).

Fighting Bob Fest is an annual gathering featuring progressive speakers, networking opportunities, and entertainment.

and entertainment. About 1,000 people attended the first Fighting Bob Fest in September 2002. The event has grown each year and has become the largest annual political festival in the United States. Last year's Bob Fest drew more than 8,000 people.

Fighting Bob Fest carries on the legacy of one of Wisconsin's most famous public servants, Robert "Fighting Bob" La Follette, by providing a forum for progressive ideas on issues facing Wisconsin and the nation.

**FightingBobFest**

Fighting Bob Fest strives to provide citizens with a forum for democratic participation where frustrations with current policies can be constructively molded into calls to action.

WDC will have an exhibit table in the main hall. Anyone interested in helping staff the table should



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

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