



## LEAGUE OF WOMEN VOTERS® OF WISCONSIN

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January 22, 2007

To: Assembly Committee on Judiciary and Ethics  
Senate Committee on Campaign Finance Reform and Ethics

Re: Revised statement on January 2007 Special Session AB 1 and SB 1

It is with disappointment that we must withdraw our support for AB 1 and SB 1 in the January 2007 Special Session of the Legislature. As we testified last week, the League of Women Voters of Wisconsin strongly supports the goal of creating a single state agency responsible for ethics and elections and with the authority and capacity to enforce the law in these areas. We believed that, with some work, this bill had the potential to accomplish this. It has become clear that the bill has serious flaws which make it unacceptable despite multiple redrafts.

Our concerns are with the following measures in the bill:

1. The non-severability clause is unworkable and should be removed. The non-severability clause would make the entire bill unconstitutional if any part of it is ruled unconstitutional. While we appreciate the amendment that would avoid a regulatory void, still it is not acceptable. The current system has multiple problems, which is why it must be changed. Changing the nonseverability clause to a severability clause will retain the significant and needed regulatory system reforms achieved through bi-partisan efforts that are reflected in other parts of the bill.
2. The venue provision of the bill, which deals with where legislators and officials charged with ethics violations are to be tried, is potentially unconstitutional. This measure would allow accusations against lawmakers to be prosecuted in their home counties instead of in the county where the crime allegedly occurred. Lawmakers should be treated like other citizens and be accountable in the county in which they are accused of committing a crime. Our electoral system provides the opportunity for their constituents in their home county to "try" them again at the next election.
3. This bill would make it a crime with draconian penalties for investigators to release information about the status of an investigation to anyone outside the newly created agency. This is in conflict with the principle of open government, and it is in conflict with any bill seeking to promote government accountability. There should be no loss of our current level of transparency in discussions and investigations dealing with campaign finance issues.

We had hoped that the Legislature and the Governor would come to a bipartisan agreement to make our state government accountable, as they promised. We still hope for the passage of a strong ethics bill that corrects these flaws.

Cc:  
Governor Doyle  
All Legislators