



Forward Institute, Inc

Wisconsin Public Policy Research
Progressive Messaging

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To the Assembly Committee on Campaign and Elections

Representative Kathleen Bernier, Chair
Representative Don Pridemore, Vice-Chair
Representative Jeremy Thiesfeldt
Representative Chad Weininger
Representative Travis Tranel
Representative David Craig
Representative JoCasta Zamarripa
Representative Frederick Kessler
Representative Terese Berceau

The following is the testimony of Scott Wittkopf, Chair, Forward Institute, registering against AB225.

Madame Chair and Members,

Upon review of AB225, the full scope and nature of this egregious bill can be found in the provisions which seek to revise the current Recall Statutes. The recall is provided for in the State Constitution under Article XIII, Section 12. It is abundantly clear that in providing citizens with the recall mechanism, the Constitution continued to affirm the principle of popular sovereignty in Wisconsin Government. In even considering AB225, this legislative body is systematically dismantling one of the foundational principles of Wisconsin government – that “the will of the people is the law of the land.”

The proposed change to the Recall Statutes in AB225 may be intended to apply only to local and municipal elected officials, but make no doubt, it flies in the face of the very letter of the Constitution. Article XIII, Section 12(7) states:

***“This section shall be self-executing and mandatory.
Laws may be enacted to facilitate its operation but no law shall
be enacted to hamper, restrict or impair the right of recall.”***

AB225 does exactly that, and worse yet, attempts to hide behind the creation of two distinct classes of recall – one with a higher standard than the other. By any reasonable evaluation, AB225 hampers, restricts and impairs the Constitutional right of the recall. It is an erosion of the principle of popular sovereignty in Wisconsin Government – making it more difficult for citizens to exercise their constitutional right to recall an official for **any reason** related to their duties. As I stated previously, this is the nature of the entire bill – the destruction of popular sovereignty in Wisconsin.

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That can be the only explanation for a bill which would allow private corporations to increase their unreported, unregulated, and unlimited “independent” political campaign influence; while at the same time prohibiting a School District, which has full accountability to the citizens, from spending a single dime of those very same taxpayers’ funds to inform them about important funding referendum. This is absurd and a travesty. This provision in AB225 will serve only to increase the already outsized influence of private, unaccountable corporations, and continue to diminish the voice of citizens in local elections.

AB225 also continues to increase the influence of lobbyists in Wisconsin elections, through extending the contribution time limit. We already have lobbyists writing our laws on behalf of their corporate sponsors. These same lobbyists will now have increased power to influence elections. Again I reiterate, decimating the principle of popular sovereignty.

You will hear a great deal of testimony today, and most of it will be against AB225 relevant to the rights of citizens to express their political will through the vote. This is compelling testimony. I also ask you to consider legacy in the context of my remarks.

This committee is now taking up a bill, just as your colleagues in Joint Finance are, which will create the legacy that this legislative body will leave behind. Passage of AB225 will ensure that legacy will be one of destruction. It is not overstating that AB225, if passed, will result in the destruction of popular sovereignty as Wisconsin has known for over a century. Your legacy will be that private corporations, through highly partisan political committees, will have greater control and influence in the Wisconsin political and governing process. Wisconsin citizens’ voices will be diminished even further in their own government.

The principle of popular sovereignty as intended in the State Constitution will be lost, as it was in the late 19th Century. History will judge your actions as harshly as it did the legislators of the “Robber Baron” era. We may look to history for the consequences of that era, and I hope my testimony today gives you pause as you consider the legacy you will leave should you pass this bill. The Constitutional right of the recall which AB225 intends to impair represents the principle and precedent of popular sovereignty in Wisconsin government. AB225 is an assault on that principle. Today, this committee has a clear choice.

The passage of AB225 means that you choose the destruction of popular sovereignty, in favor of increased private, corporate power and influence over Wisconsin government and, therefore, its people. I ask you today to choose rejection of AB225, respecting the legacy of those who came before you in this legislative body, and the generations of citizens who have exercised their right of popular sovereignty so that we all may do the same.

Respectfully submitted,

Scott Wittkopf, Chair
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