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Wisconsin Democracy Campaign testimony to Assembly Committee on Election and Campaign Reform regarding Assembly Bill 28

June 9, 2011

The Democracy Campaign strongly supports Assembly Bill 28, which requires out-of-state political committees to play by the same disclosure rules as in-state committees. This measure was passed by the Legislature and signed into law by Governor Doyle as 2005 Wisconsin Act 176, but it was not incorporated into the state statutes under peculiar circumstances and now must be reenacted.

A year after this law was made it was unmade, wiped off the books by an administrative decision by the state Revisor of Statutes. We were told by legislative attorneys at the time that this happened because on the same day Act 176 became law, another bill – Assembly Bill 428 – was enacted as 2005 Wisconsin Act 177. That bill's purpose was to cleanse state law of the provisions of a campaign finance reform measure laced with a poison pill that was enacted in 2002 as part of a budget repair bill but was later struck down in court because the judge found the poison pill unconstitutional as was expected.

The lawyers responsible for maintaining order in the state statutes decided that Act 177 trumped Act 176, even though Act 176 reflected the will of the Legislature expressed in 2006 and Act 177 merely cleaned up a mess created by the Legislature nearly four years earlier – a mess, by the way, that had nothing to do with making out-of-state donations more transparent.

We supported the proposal when it was reintroduced in 2007 as Senate Bill 160 but it received only senate committee consideration and support, and again in 2009 where it received only assembly committee support.

We urge you to reenact this disclosure legislation.