

**STATE OF WISCONSIN
GOVERNMENT ACCOUNTABILITY BOARD**

IN THE MATTER OF THE RECALL OF SENATOR ALBERTA DARLING,
EIGHTH STATE SENATE DISTRICT

CERTIFICATE OF SUFFICIENCY AND ORDER

I, Kevin J. Kennedy, Director and General Counsel of the Government Accountability Board (“Board”), pursuant to s. §10(3)(b) of the Wisconsin Statutes, certify that:

1. On April 21, 2011, a petition to recall State Senator Alberta Darling, from the office of State Senator representing the 8th Senate District, was offered for filing with the Board pursuant to Article XIII, Section 12 of the Wisconsin Constitution and §9.10 of the Wisconsin Statutes.
2. A minimum of 20,343 signatures of qualified electors of the 8th State Senate District are required for the Board to file the petition and order a recall election.
3. On April 29, 2011, Dane County Circuit Judge John W. Markson extended the deadline for filing a challenge to the sufficiency of the petition to May 5, 2011, the deadline for rebuttals to challenges to May 12, 2011, and the deadline for certification of the petition by the Board to June 3, 2011.
4. On May 5, 2011, Senator Alberta Darling filed a challenge to the sufficiency of the petition. The petitioner filed a rebuttal to the challenge on May 12, 2011. On May 16, 2011, Senator Darling filed a reply to the rebuttal in support of her challenge.
5. On May 31, 2011, the Board held a public meeting to review the staff examination of the recall petition and to review the challenge, rebuttal and reply.
6. Based on a careful examination of the recall petition conducted by the Board, including a review of the challenge, the rebuttal, and the reply, the Board found that the petition to recall Senator Alberta Darling contained 22,243 qualifying signatures of electors of the 8th State Senate District and, based on that finding, certified that the petition is sufficient to recall Senator Alberta Darling and order a recall election.
7. In making its determination, the Board specifically adopted and approved the legal analysis and conclusions outlined in the staff memorandum dated May 31, 2011, as well as staff’s additional calculations at the Board’s May 31, 2011 meeting, both of which are incorporated herein by reference. The Board specifically found that the individual petitioner, Naomi Cobb, completed the registration statement required pursuant to §9.10(2)(d), Wis. Stats., because she had appended the Statement of Intent to Circulate

Recall Petition as a supplement to the GAB-1 Campaign Finance Registration Statement filed by the Committee to Recall Darling. The Board further specifically denied Senator Darling's general challenge to the integrity of the recall petition review process.

8. The Board hereby files the petition pursuant to §9.10(3)(b), Wis. Stats., and a recall election is ordered this 3rd day of June, 2011.

9. The recall election shall be held on Tuesday, July 12, 2011. If a primary is necessary, the primary shall be held on that date and the recall election shall be held on Tuesday, August 9, 2011.

10. Persons seeking nomination for the recall election may circulate nomination papers immediately upon issuance of this order, and shall file nomination papers containing a minimum of 400 and maximum of 800 signatures of qualified electors of the 8th State Senate District no later than 5:00 p.m., on Tuesday, June 14, 2011, in the offices of the Government Accountability Board, located at 212 E. Washington Avenue, Third Floor, Madison, Wisconsin.

10. Alberta Darling shall be a candidate at the recall election without nomination unless she resigns from office not later than June 13, 2011.

Dated this 3rd day of June, 2011 at Madison, Wisconsin

GOVERNMENT ACCOUNTABILITY BOARD



Kevin J. Kennedy
Director and General Counsel