

**STATE OF WISCONSIN
GOVERNMENT ACCOUNTABILITY BOARD**

IN THE MATTER OF THE RECALL OF SENATOR ROBERT WIRCH,
TWENTY-SECOND 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 Robert Wirch, from the office of State Senator representing the 22nd 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 13,537 signatures of qualified electors of the 22nd 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. On June 3, 2011, the Court extended the deadline for certification of the petition by the Board to June 10, 2011.
4. On May 5, 2011, Senator Robert Wirch 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 Wirch filed a reply to the rebuttal in support of his challenge.
5. On June 8, 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 Robert Wirch contained 17,138 qualifying signatures of electors of the 22nd State Senate District and, based on that finding, certified that the petition is sufficient to recall Senator Robert Wirch 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 memoranda dated June 8, 2011, as well as staff’s additional calculations at the Board’s June 8, 2011 meeting, both of which are incorporated herein by reference.
8. The Board hereby files the petition pursuant to §9.10(3)(b), Wis. Stats., and a recall election is ordered this 10th day of June, 2011.

9. The recall election shall be held on Tuesday, July 19, 2011. If a primary is necessary, the primary shall be held on that date and the recall election shall be held on Tuesday, August 16, 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 22nd State Senate District no later than 5:00 p.m., on Tuesday, June 21, 2011, in the offices of the Government Accountability Board, located at 212 E. Washington Avenue, Third Floor, Madison, Wisconsin.

10. Robert Wirch shall be a candidate at the recall election without nomination unless he resigns from office not later than June 20, 2011.

Dated this 10th day of June, 2011 at Madison, Wisconsin

GOVERNMENT ACCOUNTABILITY BOARD

A handwritten signature in black ink that reads "Kevin J. Kennedy". The signature is written in a cursive, flowing style.

Kevin J. Kennedy
Director and General Counsel