

Government Accountability Board

State of Wisconsin

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Recall Petition Update 8: Senate Recall Decisions

Madison, WI – The Government Accountability Board on Monday took several important actions regarding the four State Senate recall petitions which should lead to recall elections being ordered for State Senators Scott Fitzgerald (SD 13), Van Wanggaard (SD 21), Terry Moulton (SD 23) and Pam Galloway (SD 29).

The Board, meeting at the State Capitol, stopped short of certifying the recall petitions, awaiting a decision Wednesday in Dane County Circuit Court regarding an extension that would allow all the State Senate, Governor and Lt. Governor primary and recall elections to be held on the same schedule.

The Board denied legal challenges filed by the four State Senators regarding validity of signatures from the 2002 State Senate districts, signatures gathered the day the recall committees registered, signatures analyzed by third parties and signatures that may appear to be in similar handwriting.

After considering the State Senator's challenges, the Board determined after careful review that each of the four recall committees collected enough valid signatures to trigger recall elections:

Senator	Signatures Required	Valid Signatures
Scott Fitzgerald	16,742	18,282
Van Wanggaard	15,353	19,142
Terry Moulton	14,958	18,657
Pam Galloway	15,647	18,511

All four State Senators attempted to incorporate by reference, the findings of the third-party Verify the Recall effort. The State Senators did not submit any actual challenges based on Verify the Recall, but simply said the Board should consider any challenges offered by the group, which has not submitted any information to the Board. Under state law, the Board can only accept challenges from the incumbent. In addition, the Board said it would not accept similar types of third-party challenges offered by the Governor and Lt. Governor's committees when it considers those petitions at a future meeting. The Board is interested in reviewing Verify the Recall's results for instances of possible petition fraud, as well as for ways to improve the recall petition process.

At the meeting G.A.B. Director and General Counsel Kevin J. Kennedy reported on the progress of the review of the petitions against Governor Walker and Lt. Governor Kleefisch. The Board's

staff has completed its first and second reviews of both petitions, and is currently working on the court-ordered duplicate search in the petitions. Before the duplicate review, staff has found:

Officeholder	Signatures Required	Signatures Submitted	Signatures Struck by Staff	Valid Signatures
Gov. Walker	540,208	931,042	25,495	905,547
Lt. Gov. Kleefisch	540,208	842,860	29,125	813,735

The Board decided to seek an extension from the current deadline of March 19 to March 30. By state statute, the recall election must be held “on the Tuesday of the 6th week commencing after the date” the Board finds a recall petition to be sufficient and orders the election. Wis. Stat. s. 9.10(3)(b). If the Board ordered recall elections on the current March 19 deadline, an election would be called for May 1, and if that becomes a primary election, the general election date would be May 29, the day after Memorial Day. If it ordered a recall elections by March 30, an election would be called for May 8, and if that becomes a primary election, the general election date would be June 5.

A hearing is scheduled for 9 a.m. Wednesday in Dane County Circuit Court before Judge Richard Niess regarding the Board’s extension request.

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The Government Accountability Board (G.A.B.) is responsible for administration and enforcement of campaign finance, elections, ethics and lobbying laws in Wisconsin. The G.A.B. is made up of six non-partisan, former judges and is supported by an agency of non-partisan staff members.