

Government Accountability Board

State of Wisconsin

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Statement on Status of Recall Petitions

MADISON, WI – The Government Accountability Board will not be considering all of the six remaining recall petitions when it meets on Tuesday, May 31.

Petition challenges filed by the incumbents in Senate Districts 8, 12, 22 and 30 (Darling, Holperin, Wirch and Hansen) have raised numerous factual and legal issues which need to be investigated and analyzed by agency staff prior to consideration by the Government Accountability Board members. Because of the strong likelihood that any finding of sufficiency or insufficiency by the Board will be appealed to a circuit court, it is imperative that the issues raised by these challenges are fully examined, and that a complete record is created for a court to consider.

As a result, only the recall petitions and challenges for Senate Districts 2, 8 and 10 (Cowles, Darling and Harsdorf) will be ready for the Board at its meeting at 8:30 a.m. Tuesday, May 31. The Board will not be able to meet to consider recall petitions and challenges in Senate Districts 12, 22 and 30 until later in the week of June 6. This unavoidable delay, and possible court appeals, may result in a change to the tentatively-scheduled recall election date of July 12, 2011. That date was set more than one week before incumbents filed the four significant challenges.

Board staff has been in discussion with its attorney from the Wisconsin Department of Justice about next steps before the court-ordered June 3 deadline for the Board to determine the sufficiency of the recall petitions and order elections. No decisions have been made yet about when the recall elections may be held, or whether the Board will still be able to achieve its goal of holding some or all the recall elections concurrently. Elections in Senate Districts 14, 18 and 32 (Olsen, Hopper and Kapanke) considered by the Board on May 23 have not yet been officially ordered.

Board staff has and will continue to be working overtime on the large task of examining more than 200,000 signatures submitted on 30,748 pages of petitions, and analyzing the voluminous challenges, affidavits, and rebuttals submitted by the nine recall committees and incumbents. That includes working over the Memorial Day weekend. Copies of the petitions, challenges, rebuttals and other documents are all available on the G.A.B. website: <http://gab.wi.gov/elections-voting/recall>. Under the section “Active Senate Recall Committees,” click on the individual committee names to access the documents.

This nationally-unprecedented wave of recall activity has occurred at the same time the Board and its staff have been administering the statewide Spring Election and Special Elections in three

Assembly districts, supervising a statewide recount for Supreme Court Justice, and preparing for implementation of Wisconsin's new voter photo ID law.

The Board anticipated difficulty in dealing with this unprecedented workload, and on March 10, 2011, requested a supplemental appropriation of \$40,800 from the Joint Committee on Finance under Section 13.10 to acquire the necessary resources to review, analyze and determine the sufficiency of numerous legislative recall petitions. The Committee has not yet acted on the Board's request.

The agenda and Board materials for the Tuesday, May 31 meeting will be available on the website at <http://gab.wi.gov/about/meetings/2011/may-31-special>.

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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.