

Dear WRHLC and WAA Members,

Productive Meeting on Crime Free Lease Addendum

We had a productive meeting on Thursday about the crime free lease addendum legislation. Besides myself, those attending were: Dale Hicks, Brian Hervat, and Tim Evans on behalf of WAA; Tristan Pettit, Tim Ballering and Heiner Giese on behalf of AASEW; and Bonnie Deering from Rep. Mark Honadel's office.

During the meeting, we discussed how to address this issue, using a broad outline developed by Tim Ballering. It seeks the following: 1) Removal of §704.44(9), Stats., the language invalidating leases with prohibitions against criminal activity; and (2) Creation of a 5-day notice without right to cure for violent crimes, drug crimes, gun crimes, gang activity, etc. This would be a change to §704.17, Stats. to reflect the crime free language three times, once for month-to-month tenancies, once for leases of up to a year, and once for leases of greater than a year.

The outline removes the "or near the premises" language that is contained in the standard Crime Free addendum, as that may be perceived as overbearing by the Legislature. One view held by tenant activists is if criminals keep their bad acts away from home, then it should be a law enforcement activity not a landlord tenant issue.

Current Nuisance Statute §704.17 (1) (c) , repeated in (2)(c) and (3)(c) :

A property owner may terminate the tenancy of a week-to-week or month-to-month tenant if the property owner receives written notice from a law enforcement agency, as defined in s. 165.83 (1) (b), or from the office of the district attorney, that a nuisance under s. 823.113 (1) or (1m) (b) exists in that tenant's rental unit or was caused by that tenant on the property owner's property and if the property owner gives the tenant written notice requiring the tenant to vacate on or before a date at least 5 days after the giving of the notice. The notice shall state the basis for its issuance and the right of the tenant to contest the termination of tenancy in an eviction action under ch. 799. If the tenant contests the termination of tenancy, the tenancy may not be terminated without proof by the property owner by the greater preponderance of the credible evidence of the allegation in the notice from the law enforcement agency or the office of the district attorney that a nuisance under s. 823.113 (1) or (1m) (b) exists in that tenant's rental unit or was caused by that tenant.

Here is the proposed language we used as a starting point:

A property owner may terminate the tenancy of a [*the lease term in (1)(c), (2)(c) or (3)(c)*] tenant if Tenant, any members of the Tenant household or a guest or other persons affiliated with the Tenant:

- Engages in criminal activity, including drug-related criminal activity, on rented premises. "Drug related criminal activity" means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use an illegal or controlled substance (as defined in Section 102 of the Controlled Substance Act [21 U.S.C.802])

- Engages in any act intended to facilitate criminal activity

- Permits the dwelling unit to be used for, or to facilitate criminal activity, regardless or whether the individual engaging in such activity is a member of the household, or a guest

- Engages in any illegal activity, including prostitution as defined in *WI STATUTE HERE*, criminal gang activity as defined in *WI STATUTE HERE* including but not limited to the unlawful discharge of a weapon, on premises, or any breach of the lease agreement that otherwise jeopardizes the health, safety, and welfare of the landlord, his agent, other tenant, or neighbors, or involving imminent or actual serious property damage, as defined in *WI STATUTE HERE*

The tenancy shall be terminated if the property owner gives the tenant written notice requiring the tenant to vacate on or before a date at least 5 days after the giving of the notice. The notice shall state the basis for its issuance and the right of the tenant to contest the termination of tenancy in an eviction action under ch. 799. If the tenant contests the termination of tenancy, the tenancy may not be terminated without proof by the property owner by the greater preponderance of the credible evidence of the allegation exists in that tenant's rental unit or was caused by that tenant.

Unless otherwise provided by law, proof of violation shall not require a criminal conviction, but shall be by a preponderance of the evidence. Such evidence may include, but does not require written notice from a law enforcement agency, as defined in s. 165.83 (1) (b), or from the office of the district attorney, that a nuisance under s. 823.113 (1) or (1m) (b) exists in that tenant's rental unit or was caused by that tenant on the property owner's property. [First sentence is somewhat duplicative of the last sentence of prior paragraph]

Nothing in this subsection shall permit an owner to take action against a victim of domestic violence in a manner contrary to §704.16

As I said, I think this was productive. We have agreed to meet again on June 13th, starting at 10 a.m. in Rom 300 Northeast of the State Capitol

Dates to Watch Ahead of June 5 Election

From WisPolitics.com Tuesday May 15th

*May 25: Gov. Walker and Milwaukee Mayor Tom Barrett participate in a debate sponsored by the Wisconsin Broadcasters Association. (see article below)

*May 29: Pre-election campaign finance reports are due for recall campaigns. The report covers financial activity between April 24 and May 21.

*May 31: Applications for absentee ballots must be received by local election officials by 5 p.m.

*May 31: Sen. Moulton and former Rep. Dexter have agreed to a tentative second debate on Wisconsin Public Radio in Eau Claire.

*May 31: WISN-TV and its network affiliates, Marquette Law School and WisPolitics.com host the second gubernatorial debate.

*June 1: Deadline for in-person absentee voting.

*June 5: General recall election for governor, lt. governor and four state Senate districts.

Absentee Voting Update

This is an update issued by the Government Accountability Board.

Tens of thousands of Wisconsin residents are already taking advantage of absentee voting for the June 5 recall election, according to the Government Accountability Board.

As of today, at least 90,000 absentee ballots had been issued by Wisconsin's local election officials who track them using the Statewide Voter Registration System (SVRS). A total of 68,000 absentee ballots were tracked in SVRS for the May 8 recall primary. Just over one-third of municipalities track absentee ballots in SVRS, including all the state's large cities.

"These numbers confirm anecdotal reports we are hearing from local election officials that there is strong interest in absentee voting," said Kevin J. Kennedy, director and general counsel of the G.A.B.

In-person absentee voting in the clerk's office started Monday morning and runs through 5 p.m. Friday, June 1. Some clerks are offering extended hours to handle demand.

Because of the tight timelines between the May 8 primary and the June 5 recall election, some clerks may not have had the official ballots printed in time for the start of in-person absentee voting. Those clerks must provide substitute ballots, which are remade by election inspectors at the polling place. Some voters have objected to not receiving an official ballot, but Elections Division Administrator Nat Robinson said the practice is standard, and voters should be assured that these ballots will be counted.

The deadline for voters to request an absentee ballot by mail is 5 p.m. Thursday, May 31. Absentee ballot applications in English, Spanish and Hmong are available on the G.A.B. website (<http://gab.wi.gov/forms/voters>), as well as from municipal clerks.

Military voters and those who are indefinitely confined due to age, disability, infirmity or illness may request absentee ballots by 5 p.m. Friday, June 1. Hospitalized voters and sequestered jurors must request ballots by 5 p.m. on Election Day. All absentee ballots must be postmarked by Election Day, and received by 4 p.m. Friday, June 8 in order to be counted.

The G.A.B. and municipal clerks around the state continue to receive complaints about absentee ballot mailers sent out by political parties and interest groups because they also contain campaign messages. The return mailer comes with the address of the voter's local municipal clerk, to whom the request must be sent. This has led many people to wrongly assume that the clerk is responsible for the mailer, Kennedy said.

While some of these mailers are not official absentee ballot request forms, they are permissible, and clerks must honor voters' requests for absentee ballots made using them, Kennedy said.

There have been media reports of groups providing transportation to clerks' offices for in-person absentee voting, with some commentators claiming such voting may be fraudulent. Under state law (Wis. Stat. sec. 12.11(3)(d)) it is permissible to transport voters to the clerk's office for absentee voting or to the polling place on Election Day for voting.

Wisconsin voters must be registered to receive a ballot. Those who are not registered must provide acceptable proof of residence to register. While the state's photo ID law has been enjoined by the courts, other provisions in Wisconsin Act 23 remain in force, expanding the residency requirement from 10 to 28 consecutive days and ending the practice of "vouching" for people registering to vote who do not have acceptable proof of residence.

Recall Candidates Face off in 13th, 29th Districts

Candidates in the 13th and 29th Senate District recall elections faced off Wednesday evening in the first debates in their respective races. The following accounts are from WisPolitics.com.

Compas, Fitzgerald Debate

JEFFERSON -- Dem Senate candidate Lori Compas took aim at Senate GOP Leader Scott Fitzgerald Wednesday for restrictions on collective bargaining and his role in redistricting, while Fitzgerald defended his job creation record and said the Legislature could come back before November to pass mining and venture capital bills.

In front of a crowd largely composed of Compas supporters, the Dem candidate said Fitzgerald was pitting "neighbor against neighbor" by supporting limitations on public employee collective bargaining. She also accused Fitzgerald of a string of other ethical and legal lapses.

"What we're seeing here is a pattern of abuse of power and betrayal of trust," Compas said. "The senator broke the open meetings law, he forced his fellow legislators to sign secrecy pledges, and he didn't campaign on these major policies he imposed on our society. He didn't tell us he wanted to 'divide and conquer' us."

Fitzgerald stood by the outcome of the collective bargaining debate, saying Act 10 was necessary because public employee unions have been shielded from the economic downturns while others have suffered. He also said he did not violate open meetings law and that the redistricting confidentiality agreements were necessary for a proper discussion of the maps.

"It's like any other proposal that you might see," Fitzgerald said. "You have to have a period of time in which there is a creative process, people give and take. That is exactly what happened with everything that was a part of redistricting. The idea that it was done any different from how it was done 10 years ago by Democrats, or 20 years ago before that, is ridiculous."

Fitzgerald touted a series of tax credits passed by the Legislature to aid job creation and stood by figures the Walker administration released last week showing the state gained more than 23,000 jobs in 2011.

Compas said she did not believe the state had created jobs and that restoring education funding for tech colleges and the university system was a better path to economic development.

Fitzgerald also said he hoped the Legislature would return to pass mining and venture capital legislation before the November elections. He once again blamed the failure of the mining bill on Sen. Tim Carpenter, D-Milwaukee.

Compas said she was not opposed to mining, but that if a mining company wants to set up business in Wisconsin, it can follow current laws in place. She also said there was no reason that the mining company should have helped write the legislation.

Fitzgerald responded by saying that individual legislators don't have the expertise in the nuances of mining law that Gogebic Taconite possessed. That answer received a chorus of boos from the audience.

The two candidates shared some agreement that more scrutiny was needed for a company found to have spread excessive human waste over fields in Jefferson County. Compas said the rules were clear and the company got off easy. She also said that the DNR secretary should be appointed by the Natural Resources Board.

"I think this is just an example of politics getting in the way of enforcement," Compas said. Fitzgerald said he agreed the company should be punished and that their waste spreading permit needs to be reviewed.

"Not only should the corporation pay to have those [water] wells tested, but I think once again, they should do a full review on why this company is permitted, and if they are in violation of the spreading regulations ... that permit should be revoked," Fitzgerald said.

The debate was interrupted multiple times by applause and boos from the crowd. One attendee was removed by police after he shouted at Fitzgerald to explain an interview he gave on Fox News. A Fitzgerald supporter also interrupted Compas when she was discussing collective bargaining, but she was not escorted out.

-- By Jason Smathers

Petrowski, Seidel Debate

State Reps. Jerry Petrowski and Donna Seidel harshly criticized each others' bipartisan credentials during a debate Wednesday evening at UW-Marathon County.

The candidates in the 29th Senate District's recall election next month each vowed to work across party lines and find solutions for the district and touted their experience in that capacity during their respective Assembly careers.

But Seidel, D-Wausau, said Petrowski had enabled a "divide and conquer" agenda by the Walker administration and GOP leaders.

Petrowski, R-Marathon, fired back at what he described as the overly negative tone of Seidel's campaign.

Seidel said she had a proven record on jobs issues from her time in Assembly leadership in the 2009-10 session and said Dems went to the newly elected Gov. Scott Walker early this session with proposals to help the state create jobs.

"Jerry, 'Mr. Bipartisanship,' did nothing to convince his colleagues to consider any one of those bills," Seidel charged.

Petrowski, R-Marathon, said just one Dem jobs bill went across his desk as chairman of the Assembly Transportation Committee and that he took up the bill and moved it forward.

Although that measure ultimately failed to pass, Petrowski said, "I listen to the other side; if they have good ideas, I incorporate them into the bill."

Petrowski also charged back that "Donna's idea of working together is slam someone on TV to the tune of \$100,000."

Petrowski said the Seidel campaign's ads "trying to tear me apart" on women's health issues were inaccurate. He said Seidel, in fact, voted to cut funding for well woman screenings in the 2009 state budget.

"That's what's wrong with politics today," Petrowski said.

Seidel declared that she had long championed the program, and that the 2009 vote was part of an across-the-board cut in light of a budget shortfall.

She blasted Petrowski over a provision cutting state funding for Planned Parenthood, including for the group's cancer screening services, arguing it showed "a lack of interest or concern for the health care of so many women in this state."

Seidel also called the fiscal policies enacted by Republicans last year "really misguided decisions, and we have see the result of those decisions," referring to statistics showing the state ranking No. 50 nationally in job creation.

She said public employees should have their collective bargaining rights restored -- with the concessions she said were agreed to during last winter's protests over the budget repair bill -- and education should not have been "first place to cut."

Petrowski said those decisions enabled the state to get on an "even keel" financially, and said a number of economic factors, from unemployment to revenue projections, "shows you that we are going in the right direction."

He did say, however, that he would vote against so-called "right to work" legislation after video surfaced of Walker discussing that issue with a donor last year.

"I don't believe there is a plan to do that," Petrowski said. "I would vote no, and I don't believe there is support to do it."

Seidel responded that, in light of Petrowski's vote for public sector collective bargaining restrictions, "I find it pretty hard to imagine that that is honest."

She reiterated that public employee unions had indicated they would accept higher pension and health care contributions as debate on the repair bill raged, telling Petrowski, "You could not accept 'yes' for an answer."

The candidates also went at it over mining legislation

Seidel defended her opposition to "the most extreme mining bill," saying she wanted to be sure that air and water quality in the state's northern frontier would be protected.

"When I can get those assurances, then absolutely I will be committed 100 percent to creating those good paying jobs," Seidel said.

Petrowski said the proposed iron mine amounted to "running a big shovel" through the mining site, and that it would not be an air quality issue.

Instead, Petrowski said that the only reason the bill failed was Dems "did not want to see Scott Walker have a win on the mining issue."

-- By Andy Szal

Gubernatorial Recall Election Debate to be Broadcast Statewide

This is a release from WISN-TV of Milwaukee.

WISN 12 presents a one hour, commercial-free roundtable debate between Republican Governor Scott Walker and his Democratic opponent, Milwaukee Mayor Tom Barrett, on Wednesday, May 31, from 9 to 10 p.m. Originating from Eckstein Hall, the home of Marquette University Law School, the debate will be broadcast statewide as part of WISN's Commitment 2012 coverage of the Wisconsin Gubernatorial Recall Election. The moderator for the evening is Mike Gousha, host of 12 News UPFRONT, and a distinguished fellow in law and public policy at Marquette Law School. 12 News Anchors Kathy Mykleby and Craig McKee will introduce the debate.

"This is only the third recall election for Governor in our nation's history, and as a result, it's being watched closely not just in Wisconsin, but around the rest of the country," says Gousha. "What viewers can expect is a serious conversation: two men who know each other very well, seated side by side, debating the issues that have led to this historic moment."

Due to limited space, the event will be ticketed and all seats for members of the public have been reserved. News coverage of the debate and/or access to a pool feed requires media credentials. Journalists must contact Brigid O'Brien Miller at Marquette University, [414-288-7445](tel:414-288-7445) or brigid.miller@marquette.edu, regarding credentials. All media must be on the credential list for access to the building that evening. Parking for live trucks must also be arranged in advance.

The debate will be broadcast across the state on WKOW (Madison), WBAY (Green Bay), WAOW (Wausau), WXOW (La Crosse), and WQOW (Eau Claire), all of whom carry the award-winning weekly public affairs show, "UPFRONT with Mike Gousha." It is also being live-streamed by WisPolitics.com and WISN.com, the ABC station's website. WisPolitics and Marquette Law School are co-sponsors of the roundtable debate.

"We are thrilled the candidates chose 12 News as the only local television news outlet to broadcast their final debate," says Jan Wade, president and general manager of WISN 12. "During a pivotal year in Wisconsin politics, viewers and candidates are counting on 12 News' Commitment 2012 coverage to stay informed. With a veteran political journalist like Mike Gousha, 12 News is a natural destination for the defining and final debate of this recall election."

This is the final joint appearance between Gov. Scott Walker and Mayor Tom Barrett prior to the recall election on Tuesday, June 5. The debate will focus on the issues that led to the recall election and the candidates' vision for Wisconsin's future.

"The Wisconsin Recall Election is a significant page of our state and our national history," says Lori Waldon, news director at WISN 12. "We are incredibly proud of our role in presenting this historic debate, proving once again that WISN 12 is a news leader. We are very proud to serve our viewers who repeatedly turn to us for major news events."

Fall Legislative Candidate Introductions Next Week

June 1st is the deadline for filing of nomination papers to be placed on the ballot for the fall elections. Here is information on fundraising events being held to introduce candidates for the Legislature.

CERS candidate Roll-out Event

The Committee to Elect a Republican Senate invites you to their Candidate Roll out Event on Thursday, May 31, 2012 starting at 11:30 a.m. at the Edgewater Hotel in Madison. Come and meet all of the Republican Senators and candidates for the 2012 election cycle

\$1000-Table Sponsor -includes lunch for 8; \$500 Host- attendance for three and signage; \$150 per person to attend; PAC currently accepted

Please make checks payable to:

CERS, PO Box 2741, Madison, WI 53701

For questions or to RSVP contact senate@wisgop.org or [608-257-8035](tel:608-257-8035)

ADCC Candidate Roll Out

The Assembly Democratic Campaign Committee will hold a candidate announcement on Thursday, May 31, 2012 starting at 5:00 p.m. at Monona Terrace, 1 John Nolen Drive, Madison.

Host: \$2500; Sponsor: \$1000; Supporter: \$500; Friend: \$250

All individual and conduit contributions gratefully accepted

RSVP to Joel Gratz at [\(608\) 258-9225](tel:608-258-9225) or joelg@wisdems.org

Please send contributions to the ADCC, PO Box 814, Madison, WI 53701 or give online.

RACC Presents Assembly Republican candidates

The Republican Assembly Campaign Committee will present its candidates on Thursday, May 31, 2012 starting at 5:30 p.m. at the Concourse Hotel, 1 W. Dayton St., Madison.

\$250 per person

Individual and Conduit Dollars Welcome

No PAC or Corporate Contributions

RSVP Appreciated

Questions: mhubbard@wisgop.org or [608-279-1275](tel:608-279-1275)

Please make checks payable to:

Republican Assembly Campaign Committee (RACC)

148 East Johnson, Madison, WI 53703

As always, feel free to email me with questions or suggestions. Here is the information on how you can contact me:

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