

## Wisconsin to lift limits on campaign giving after Supreme Court ruling

By Patrick Marley

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**Madison** — Wisconsin election officials acknowledged in federal court Thursday they could not enforce a state law that limits the amount donors can give to all candidates to \$10,000 a year, in light of a recent U.S. Supreme Court ruling.

The state's settlement of a lawsuit over the limits — if approved by U.S. District Judge Lynn Adelman as expected — would also have the effect of allowing donors to give unlimited sums to political parties and political action committees.

The state Government Accountability Board, which oversees state election laws, also agreed to pay more than \$5,700 in legal fees to millionaire Fred Young Jr. of Racine, who [brought the case](#). Those funds will go to the conservative [Wisconsin Institute for Law & Liberty](#), which represented Young.

The decision comes a month after [the U.S. Supreme Court ruled similar limits are an unconstitutional restriction of the free speech rights](#) of those who make donations to congressional candidates.

"I'm very pleased we've made one more piece of progress to restoring the First Amendment," said Young, who sits on the [board of the Cato Institute](#), a Washington, D.C.-based group that promotes limited government.

But Mike McCabe, executive director of the Wisconsin Democracy Campaign, predicted the ruling would give the wealthy a bigger voice in elections at the expense of everyday Wisconsinites. His group lobbies for limits on political donations and publicly funding campaigns.

"It's going to vastly increase the power of a few hundred donors," McCabe said of the settlement. "They will have a vastly increased capacity to influence elections.

Wisconsin for decades has limited to \$10,000 the total amount donors can give to all candidates in a calendar year.

If the settlement is approved by the court, donors would be able to donate to as many candidates as they wanted. However, they still would be able to give only set amounts to individual candidates for each two-year or four-year election cycle — \$500 to those for state representative, \$1,000 to those for state senator and \$10,000 to those for statewide office, such as governor, attorney general and state Supreme Court.

The state does not have specific limits on how much donors can give to the Democratic Party, Republican Party and the political funds the parties control, or to political action committees run by special interests and grass-roots groups. The only thing that restricted giving to those types of committees was the law that limited to \$10,000 the overall amount someone could make in political donations in a year.

If the court approves declaring the overall limits unenforceable, donors could give the parties and political action committees whatever amount they wanted.

Mike Tate, chairman of the state Democratic Party, said the decision would allow the public to have more information about who is giving political money.

People have the ability to give money to an array of campaign-style groups without making the donations public. By contrast, funds they give to parties and political action committees are disclosed.

"While we stridently oppose the proliferation of money in politics and compete in a system that is rigged to favor the very wealthy, this rule will likely force more money into the sunshine and provide greater transparency," Tate said via email. "I think candidates and parties being able to have more of a voice in the process is a good thing verse being drowned out by third-party spending."

Joe Fadness, executive director of the state Republican Party, declined comment.

Democratic strategist Patrick Guarasci said the few big donors will now receive many more requests. In the future, candidates will feel compelled to ask donors not just for the maximum donation for themselves but for an additional amount that will end up going to their state party and that will end up helping them, said Guarasci, who advises Milwaukee Mayor Tom Barrett's campaign.

"This will be the Wild West of political giving," he said. "(Candidates) will have to engage in this to survive."

McCabe, of the Democracy Campaign, said he believes donors will easily be able to get around the individual contribution limits. For instance, if they wanted to help a candidate for the Assembly, they could give that person \$500 and then give thousands more to members of the Legislature who didn't have tough elections and ask them to pass the funds onto the favored candidate.

"What this opens the door to is what amounts to money laundering," McCabe said.

But Young, who brought the lawsuit, said increased political spending will lead to a more engaged and better educated electorate.

"I say the more the better and no apologies," said Young, the former owner of a radiator company.