

MADISON - The last day of the Joint Committee on Finance (JFC) state budget work in the summer of 2015 was expected to be a day with some surprises. One surprise no one could have anticipated was the inclusion of page after page of open records changes. Limiting not only nearly every Legislative office record, the changes also would have closed state public agency records and the Governors records as well. Maybe that is why we celebrate “Sunshine Week” every year, to remind us all of the value of open government and the importance of transparency.

To close open records was monumental, epic and dangerous. As JFC Democrats we were given only 15 minutes to talk about the Republican motion that gutted open records. I spent every single second of my time talking about the mistake of the open records change. I remember saying that in the future when these Legislators left office and were looking back, this vote, to gut the open records law, would be their biggest regret because of the damage it would cause the people of Wisconsin.

Not one Republican vote was swayed by that argument and every single Republican on the Committee voted in favor of gutting Wisconsin open records law, including Representative Czaja and Senator Harsdorf. So of course it was a little disappointing that the Wisconsin Newspaper Association honored these two Legislators with awards.

Wisconsin had some of the first open records laws in the country. Decisions making sure records of the government were open for inspection in Wisconsin are almost as old as the state itself. As we are about to embark on Sunshine Week 2016 to celebrate open government, I hope we will all reflect on the 2015 budget open records crisis and remember how quickly the rules can change if we take them for granted.

I have always been a defender of a strong Wisconsin Open Records law, even when I was sued because I would not give out personally indefinable information of constituents who had contacted my office. The ability to make a decision as a custodian of public records and the counter balance of being able to bring suit when you disagree is central to the Wisconsin open records law and I hope it will be for years to come. Let’s celebrate Sunshine Week 2016 with extra vigilance given the summer of 2015 action.

For more information on Wisconsin's Open Records law contact my office at 608-266-6670 or sen.erpenbach@legis.wi.gov
or 888-549-0027.