

PAINT IT BLACK

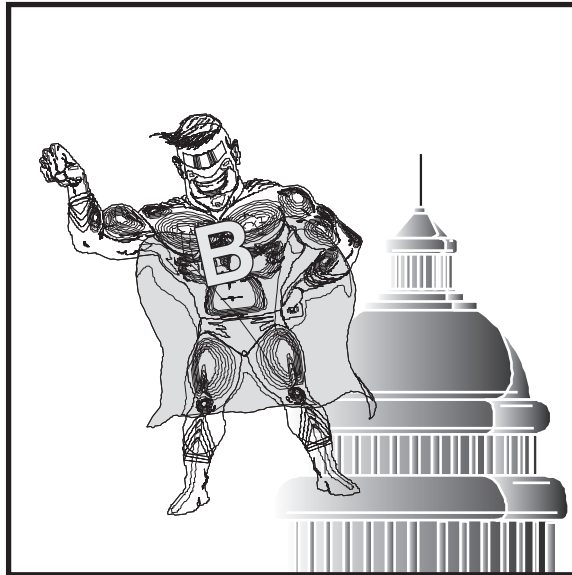
WHAT SPENCER'S ASCENSION MEANS FOR ASSEMBLY DEMOCRATS — AND THE STATE OF WISCONSIN

BILL LUEDERS

One of Spencer Black's first acts as minority leader of the Wisconsin State Assembly was to put a small conference table in his office, situated between a portrait of "Fighting Bob" LaFollette and one he's ordered of Gaylord Nelson. The office's previous occupant, Shirley Krug, simply had chairs arrayed against the wall facing her desk. Black's subtle change in decor, an invitation to dialogue,

understates the profound change in thinking that led to his ascension this May to the Assembly Democrats' top leadership post. For while the coup that ousted Krug was bloodless, it was not gutless. In picking Black, one of the Legislature's most left-leaning members, as their leader, the Dems, who have languished in the Assembly's minority since 1994, are embracing a bold and perhaps risky strategy to reconnect with their traditional bases of support and ignite enthusiasm for their candidates.

Not surprisingly, Black's ascension has been greeted sourly in some quarters. Republicans howled about "a lurch to the left" that, they said, would consolidate the Democrats' leadership in the hands of two Madison liberals — Black and state Senate



Majority Leader Chuck Chvala — to the detriment of the rest of the state. Jim Pugh, spokesperson for the business lobby Wisconsin Manufacturers and Commerce (WMC), notes that Black, along with two other Madison Democrats, scored lowest among the legislature's 132 members on WMC's list of key votes last session. "In Spencer Black, you have the personification of the tax-and-spend,

beads-and-sandals Democrats of the 1970s," he says. "By and large, you have one of the most anti-business members of the Assembly leading the Democratic caucus."

Pugh predicts the move will backfire, that voters and even other Democrats will reject Black's brand of liberalism. "Already," he says, "individual Democrats are supporting a policy agenda that's being developed by Assembly Republicans" — referring to the five Democrats who this summer broke ranks and joined Republicans in passing the Assembly version of the state budget. To Pugh, that means the real power in the Assembly, thank heavens, resides firmly with the Republicans,

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under the leadership of Speaker Scott Jensen. And that makes Black's top-dog role within his own caucus of little consequence.

"He's the leader of the minority caucus," says Pugh. "He's a liberal Madison Democrat. As long as Black's not the Speaker of the Assembly, he's not at all relevant to the policy debate in the state. And the reason is, his own members don't support his liberal agenda."

But Black cannot be as easily pigeonholed as his opponents would like, nor can his potential to rejuvenate Assembly Democrats be so easily dismissed. He's a smart, savvy team player who has already demonstrated his ability to marshal supporters and outfox foes. Take Pugh, for example.

"It's not surprising that WMC would not like a Democrat who has a record of winning tough fights," says Black, citing his successful effort to pass a mining moratorium bill with grassroots support, despite a massive, industry-led campaign against it. "If Pugh had said it was great that I was in power, the Democrats should worry."

While conceding that Wisconsin Democrats need to be attentive to the needs of business, Black says the WMC is not an authentic representative of the state's business community. Rather, he asserts, the group takes "a very hard-line, very short-sighted view," as do the Republican lawmakers who score high on its key-votes tally.

The future health of the Wisconsin economy, says Black, depends on three things: "a well-educated workforce, a top-notch university system, and a high quality of life." But rather than support these goals, Black charges, Republicans and some members of the business community are under-funding higher education and the public school system, promoting the heedless exploitation of natural resources and backing "medieval-style bans on medical research." By this, he means the efforts of Jensen and other Republicans to outlaw stem-cell research using human embryos. "Here's an area where Wisconsin is a leader, which can lead to almost unimaginable med-

ical advances and can also spawn an entire new industry which Wisconsin is ideally suited to be home to." And rather than embrace it, he clucks, Republicans like Representative Sheryl Albers are wringing their hands about, as she put it, "life sitting there in a petri dish."

As Assembly minority leader, Black says his goal is "to reinvigorate the grassroots, person-to-person style of politics which has seemed to go out of style." He thinks the key to reversing the Democrats' fortunes is getting involved in issues that make a difference in people's lives: affordable medication for seniors, affordable college tuition for the middle class, quality education for public school students, a clean environment for all. To this end, he's organized statewide rallies that have brought together teachers in support of lower class sizes and students backing a bill that would require student aid to increase at the same rate as tuition. "We're out there fighting very aggressively, and taking the issues to the people," says Black. "Not just in the state Capitol but in the church basements, the union halls and town squares."

Who does this guy think he is, Woody Guthrie? And how did he get to be minority leader of the state Assembly?

Black, 51, has served in the Assembly since 1984. His area of special interest is the environment, and he chaired the Assembly Natural Resources Committee from 1987 to 1994. He's led the legislature's efforts toward recycling and against a proposed mine in Crandon. And he's been an outspoken advocate of campaign finance reform, which some would say is easy for someone like him, whose seat in liberal Madison is probably more secure than the codes needed to launch a nuclear war.

Black's current rise to power owes to a confluence of factors. First and foremost was the Assembly Democratic caucus' dissatisfaction with Krug, who took over the reins in June of 1998. The first woman ever to hold the position, Krug was billed as a centrist who would bring a pragmatic approach to the job's main tasks: advancing a legislative agenda and helping restore the party's majority status. As

to the first, let's let the fact that you draw a complete blank when asked, "What did Assembly Democrats accomplish in the last legislation session?" speak for itself. As to the second, despite Krug's expressions of confidence, the Dems lost two seats on the 99-member body last November, continuing a slide that dates back to 1990.

"In ten years under Wally Kunicki and Krug," says Black, "we went from 58 seats to 43, from a strong majority to a weak minority." And redistricting will erode that margin by at least one more seat, to 42, before the next election. "There was a desire for a different leadership style, one that was more issue-based, more based on a grassroots approach to politics, a leadership style that was more inclusive, that brings more Democrats into the process."

In mid-November 2000, just after the elections, Black was named assistant minority leader, replacing Representative Marlin Schneider, who had vied with Krug for the top post in 1998. Black used the post to demonstrate his ability to be a team player, delegating responsibility and credit on issues like wetlands preservation to other Democrats.

"One of the things I like to do is get more people involved in a leadership role or to be in the public eye," says Black. "So on a number of issues I turned to other legislators who have a strong interest and the expertise to be out front. It shouldn't always be the leaders." Black's ability to play well with others raised his standing within the caucus. "He showed that leadership fits him," reflects one legislative aide. "When you elevate him to a leadership post and give him extra staff, he uses it to everyone's advantage."

There were tensions between Krug and Chvala, particularly over her desire that

Assembly Dems have separate legal counsel in the redistricting process. Krug argued that the interests of Assembly Dems were not the same as those of their colleagues in the Senate. Chvala was not pleased and supported the groundswell that led to Krug's ouster. Black downplays the significance of this support, saying that due to age-old rivalries it is "very difficult for a leader in one house to influence a decision in the other." But certainly, some caucus members did feel it was counterproductive for Krug to be at odds with Chvala. And Black, soon after he became minority leader, dropped this request for separate council. As he explains it, "My feeling is that we have to work together."

When Krug became minority leader, she promptly replaced Representative Spencer Coggs on the powerful Joint Finance Committee with another Milwaukee Democrat, Antonio Riley, who was seen as more amenable to business interests. Indeed, Riley developed a reputation as the "9th Republican" on the evenly divided 16-person committee. More than once he broke ranks to side with Republicans

on issues of concern to business, including his support for delivering a strategic tax break to Midwest Express, a measure some of his Democratic colleagues dismissed as "corporate welfare."

Riley also scared the bejesus out of his fellow Democrats by announcing, in late April, that he would give serious consideration to a proposal to split the state Department of Natural Resources into two agencies — one that oversees activities like hunting, fishing and camping, and the other that enforces environmental regulations. Black, who thinks this is a spectacularly bad idea ("If you want to have a good trout stream, you have to have good water quality"), agrees that Riley's dal-

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liance with this idea added urgency to the cause. But he says his decision to replace Riley with Coggs on Joint Finance, which he made about two minutes into his tenure as minority leader, was really just an effort to restore his fellow Spencer to a post he had held ably for years, not a rebuke of Riley.

"I think it's important that Democrats from the Assembly and Senate work together on the Joint Finance Committee," says Black. "Spencer Coggs had a good working relationship with other members of the committee. My preference is to speak positively of Spencer Coggs, rather than negatively about anyone else."

Black didn't seek out the minority leader's position; rather, it was thrust upon him. "A majority of Assembly Democrats felt there was a need to change the leadership," he says. "I never spoke to any other Dems and asked them to vote for me." By Black's account, the people supporting the change wanted to hold off on a vote, since Krug's mother had passed away in late April. But when she found out about the sentiment for a leadership change, "she asked that it be resolved right away."

Krug's ouster occurred during a contentious five-hour-long closed caucus session on May 1. The critical vote, which took place after Krug made her best pitch in favor of keeping the post, was on whether to hold a new leadership election. Black says about two-thirds of the 43 caucus members voted "Aye." After that, Krug made what Black calls a "gracious gesture" and urged that he be elected unanimously, which he was. Representative Jim Kreuser of Kenosha, who along with Schneider had challenged Krug for the leadership post in 1998, was named assistant minority leader, Black's old job.

Curiously, the sharpest Democratic criticism of this intrigue came from Representative Frank Boyle, who like Black is one of the legislature's most liberal members. "With this coup, we've opened a very dangerous door," he told the *Milwaukee Journal Sentinel*. "It is very divisive. It's not a unifier, for sure. I don't like it." Black, for his part, was anything but divisive: "Our current leadership has worked very

hard," he said at a news conference after the vote. "Obviously being the minority leader is not easy. But change does occur in the political process. That's no reflection on any individual."

Of course, individual styles do matter, and part of the change brought by Black is toward a more aggressive, headstrong approach. His rhetoric is decidedly more incendiary. He talks about Democratic opposition to Republican efforts to "shift the tax burden more on working families and senior citizens in order to give a tax break to millionaires." And he's signaled his unwillingness to go along to get along with majority Republicans.

A case in point: In June, Assembly Republicans shot down a bill that would allow two Madison development projects to proceed despite an error in the city's application. Assembly Majority Leader Steve Foti, R-Oconomowoc, admitted this was done in retribution for Milwaukee Democrat Representative Tim Carpenter's accusations that Speaker Jensen was trading votes for campaign contributions. "If they're going to treat us like crap," Foti told *The Capital Times*, "we'll treat them like crap." But Black was unapologetic: "We are not going to be intimidated by Scott Jensen into gagging our members or be intimidated into not discussing campaign finance reform. That is not a deal we are going to make." In a guest column that appeared in the *Wisconsin State Journal*, Madison's other daily, Black went further, saying the Republican's desire to punish Democrats "really ended up punishing the disadvantaged families" of the Madison neighborhood where one of the projects is based. He claimed the moral high ground: "I believe it is deeply un-American to bargain away the free-speech rights of public officials elected by the people."

To many Democrats, this approach is refreshing. "The way you stay in the minority," says one legislative aide, "is to figure out a comfortable existence in the minority, and that's what the Republicans want us to do." Black, the aide notes, is sending a different message: "We're coming after you." (In the end, the development-authorization bill was sent back to the Assembly and passed.)

But leadership has its burdens, among them is participating in a system that, to many observers, Black included, has been corrupted by money. As assistant minority leader, Black oversees a caucus apparatus that, like the three others (one for each party in each house), stands accused of illegally participating in electoral campaigns. And he inherits a responsibility to help Assembly Democrats raise the kind of money it takes to win elections. Black has ordered up a thorough review of the activities of his caucus staff and declares, "No ifs, ands or buts — they will not engage in electoral activity on state time or using state facilities." And he vows to continue vigorously pursuing campaign finance reform. But, in the meantime — that is, the foreseeable future — "we're not going to unilaterally disarm." In other words, he will still play the game of receiving money from special interests because it's "an unfortunate part of the process." In fact, some say Black will have an easier time than Krug snagging money from traditional Democratic constituencies like labor, teachers and environmentalists. Says Black, "We will do our best to compete under the current system, but that won't stop us from trying to change the system." Uh huh.

Still, Black knows that the ability of the Assembly minority to effect change is miniscule compared to that of the majority. WMC spokesperson Jim Pugh agrees, saying the prospect of a legislature led by Chuck Chvala in one house and Spencer Black in the other "ought to send shivers down the spine of every business executive in Wisconsin. It would be the ultimate disaster for business." He says Chvala, in the version of the budget that passed the Senate, is seeking a \$350 million tax increase. If Black becomes majority leader, the Dems will "take that \$350 million increase,

multiply it by two, and pass it into law." Why would they multiply it by two? "Because they're liberal!" exclaims Pugh.

Black also has his sights set on the future and to next year's elections. While he isn't claiming he can perform Black magic on the fortunes of Assembly Democrats, he does think the Democrats are likely to reclaim the governor's office. Black hasn't endorsed any particular candidate, saying, "I like them all." But he anticipates voter backlash against the presidency of George Bush and the downturn in the economy. And he thinks that after 16 years of Tommy Thompson and now Scott McCallum, voters will be ready for a change:

"People in Wisconsin don't want to become a one-party state." While McCallum is holding \$1,000-a-plate fundraisers, Black says, "My job as Assembly minority leader is to represent the people who can't afford to dash off a \$1,000 check, people who are working hard to stay on the family farm, working hard to get by and raise a family."

As Guthrie's "If You Ain't Got the Do Re Mi" plays on some internal

soundtrack, Black talks about how the people of Wisconsin will rise up against McCallum and the Republicans once they get their property tax bills and see increases that have resulted from cuts in state aid to schools and other programs. "The Republican budget," he says, "equals a property tax hike." But will voters really make the connection? Aren't they more likely to blame the local elected officials of the municipalities they live in that levy the property tax? "I think the public is far more perceptive than that," says Black. "I have a lot of faith in the average person. I think the average person, given the right information, will be engaged and will make intelligent decisions. And I think that's truer in Wisconsin than any place in the country."

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