

Guest Opinion

## Your right to know: Don't chip away at records access

By Bill Lueders

One great thing about Wisconsin's open records law is that it's not supposed to matter who wants records or why.

The law, enacted in 1983, asserts that no state or local government office may deny a request because the person making it "is unwilling to be identified or to state the purpose of the request."

This is an important principle, because access to public information should not be limited to people whose motives have been deemed pure. In fact, citizens and political parties often use the law to scrutinize public officials and political opponents. That's how it should be.

A few years back, the primary author of Wisconsin's open records law, former state Sen. Lynn Adelman, now a federal judge, told a group of open government advocates that he was prepared to kill the entire bill rather than accept an amendment that would have removed this ability to make anonymous requests. Public records, he felt, needed to be public to all.

Over the years, this ideal has sustained damage. In 1996, the state Legislature limited the ability of incarcerated persons to make records requests. In 2005, the Wisconsin Supreme Court ruled that an alleged sexual harasser could be denied access to unredacted records regarding complaints against him. In 2014, a state appeals court backed up a school district that refused to provide records regarding one of its employees to a man with a history of violence against her.

These are tough cases; inmates, harassers and abusers are not sympathetic figures. But we must be careful about denying access to records based on who is asking.

In late 2016, the Wisconsin Supreme Court upheld a state agency's decision to deny a request for training videos, ostensibly to protect sensitive law enforcement techniques. The decision's author, Justice Rebecca Bradley, noted in passing that the records requester, the Democratic Party of Wisconsin, had a "partisan purpose" in making its request.

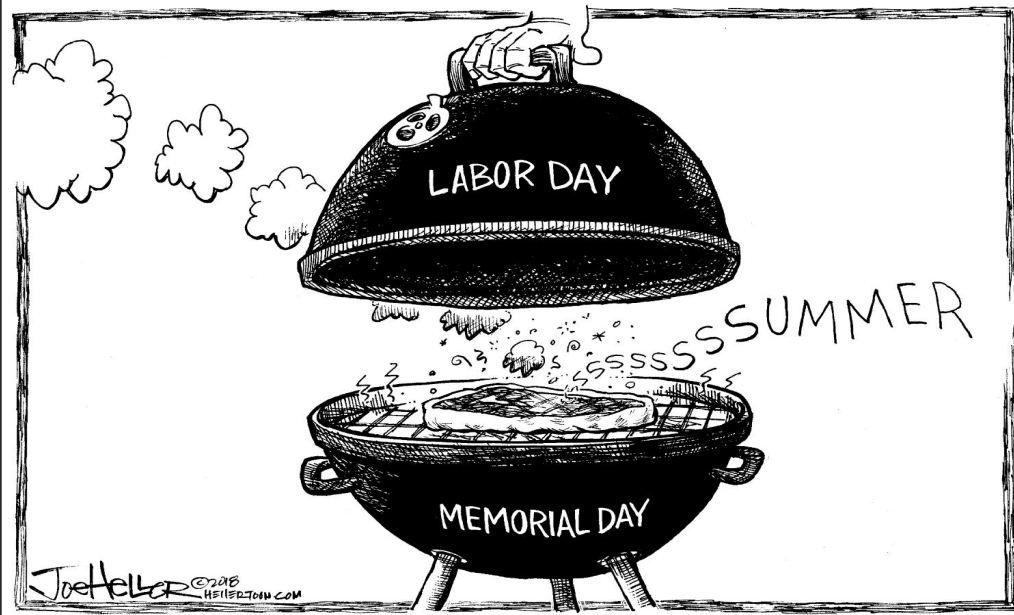
That's troubling, because the requester's purpose shouldn't matter—and, it can be argued, still does not, despite Bradley's careless wording. If Democrats can be denied access because they are partisan, so can Republicans. Or anyone.

Earlier this year, the state Supreme Court ruled against a labor union that sought records to help secure votes in a recertification election. The court's conservative majority accepted arguments, unsubstantiated by any evidence, that the union might use these records to harass. Justice Ann Walsh Bradley, writing in dissent, called this a "concocted concern."

This case involved a particular set of circumstances, and its reach should not apply to other requests. But we must remain wary about taking any requester's identity or motives into account. That provides a too-easy out for officials looking for excuses to keep public information under wraps.

To quote from the law, "all persons are entitled to the greatest possible information regarding the affairs of government and the official acts of those officers and employees who represent them." All persons — not just those the government likes.

Your Right to Know is a monthly column distributed by the Wisconsin Freedom of Information Council ([www.wisfoic.org](http://www.wisfoic.org)), a group dedicated to open government. Bill Lueders, managing editor of The Progressive, is the group's president.



Week of Aug. 23, 2018

## Battle over wedding barns hits state legislature

By WisPolitics.com

While the attack ads fly in the races for governor and U.S. Senate, another battle is quietly taking place in Madison.

The battle is over wedding barns.

A legislative Study Committee on Alcohol Beverages Enforcement has met twice on this controversial issue.

Wedding barns are rented out for weddings or other private events and are not currently licensed to sell alcohol. But they still allow people to drink on the property. The Legislature earlier this session attempted to crack down on the venues but failed amidst fears the language would impact tailgating around Lambeau Field and Camp Randall Stadium.

Committee members at an Aug. 22 meeting discussed concerns surrounding the wedding barns, such as smoking on the property, underage drinking, fire codes and parking violations, as they expressed a preference for creating statewide standards to address those issues.

But owners of the venues said they're already subject to ordinances from their local municipalities.

"We don't need liquor licenses, because we are locally permitted, and we are regulated," said Bonnie Keyes, owner of Mulberry Lane Farm in Hilbert.

Chairman Rep. Rob Swearingen, a restaurant owner/operator and member of the Tavern League of Wisconsin, countered that implementing uniform standards and liquor licenses for all wedding barns would create a "fair playing field" for all venues.

The Rhinelander Republican also signaled he was open to the possibility of mandating a licensed bartender for private events at venues beyond wedding barns.

Swearingen earlier said he's looking to "move beyond the controversy and find solutions" surrounding potential changes to the state's three-tier system for the manufacture, distribution and sale of alcohol.

Swearingen likened regulating unlicensed venues and barns to the process in establishing regulations for ride-share companies such as Uber.

"Stop the music until we can get this properly done and regulated," he said.

Meanwhile, fellow committee member Sarah Botham, director of marketing for Botham Vineyards in Barneveld, slammed wedding barns for creating an "uneven playing field for the competition of business."

Swearingen also said one of his chief concerns was the Department of Revenue's interpretation of what would be allowable if state statute was not specific surrounding issues of enforcement.

But Revenue Secretary Richard Chandler stressed at the committee's first meeting that the agency's job is only to interpret the laws as written. He used the policy debate over wine walks -- events where a group of retailers serve wine and snacks to participants -- as an example of the Legislature changing state law. Before the 2015 change allowing municipalities to issue temporary alcohol licenses covering different locations over one day, DOR did not allow wine walks.

"We're not making a policy decision on whether wine walks are good for the community," Chandler said. "Sometimes the public thinks we are being too strict, or not strict enough."

James Wigderson, of Right Wisconsin, a conservative political website, has knocked the committee's effort.

He notes Swearingen is a former president of the Wisconsin Tavern League and says "he's determined to crack down on the competition. The committee is largely stacked in the Tavern League's favor and not one event barn owner is a member of the committee."

Sheila Everhart, the president of the Wisconsin Agricultural Tourism Association and the owner of Everhart Farms, said there are already laws that cover many of the concerns of some of the committee members.

Everhart's organization represents over 150 members. There are approximately 250 event barn venues in Wisconsin and they generate \$120 million in economic activity annually, according to a study the organization conducted, based on an average of \$20,000 per wedding.

Everhart told Wigderson her members are subject to local noise laws and laws governing the hours of operation.

Jean Bahn of the Farmview Event Barn in Berlin wondered if committee members had even been in a wedding barn after they questioned the safety of holding a catered event at these venues.

"I frankly don't know what bride would rent a place that had 'holes in the floor' and 'bird droppings all over the table,'" Bahn said. "It just doesn't make sense to me for them to say that's what wedding barns are. It's a huge investment in making sure our buildings are safe."

Bahn also explained that some of the committee members were just simply wrong about claiming these event barns were

unlicensed by the local municipality.

"The first step was to get permitted by my township, by my county," Bahn said. "They're implying that the entire community are just fly-by-night."

Sara Haase of the Croix-View Farm said she requires her guests to use her preferred vendor, a licensed bartending service, for serving alcohol at events at her location. Like the other event barn operators, she doesn't sell the alcohol as she doesn't have a liquor license. The events at her location are private parties. The licensed bartender is required by Haase to check the ID of everyone and mark the hands of those that are legally able to be served alcohol.

"If you do not have an ID, she will not serve you," Haase said. "I just went to that for the safety of our neighbors, for safety for our best interests, and because I think it's just a smart thing to do."

Haase also had to go through a permit process with her county before she could open her farm up to having events. The barn events cannot go past midnight, with music and the bar service ending before 11:30.

As for the safety and sanitary standards of her event barn, Haase says her operation is a lot better than many of the bars in Wisconsin.

"There are a lot of bars that are just as unsanitary as a barn, if not more so," Haase said. "I've been in bars where there are dogs wandering around and they serve food. And I'm thinking how in the heck is this up to code?"

The Capitol Report is written by editorial staff at WisPolitics.com, a nonpartisan, Madison-based news service that specializes in coverage of government and politics, and is distributed for publication by members of the Wisconsin Newspaper Association.

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## THE GRAMMAR GUY

by Curtis Honeycutt

### On adverbs and sandwiches

What's a sandwich without a little sauce? And, by sauce, of course, I mean mustard. Without mustard, a sandwich is dry, boring and lifeless. Please, I don't want any emails from the pro-mayo lobby on this one. For me, it's mustard or bust.

Adverbs are like sentence mustard. They add flavor and intensity to otherwise plain word sandwiches. An adverb is a word that modifies a verb, adjective, another adverb, or an entire sentence or clause. Most of us think of adverbs being words that always end in "ly." The fact is, many adverbs do end in "ly." Sam walked slowly to school. Hampton chortled heartily at Peggy's pun. I frequently check my email.

On the other hand, there's a long list of adverbs that do not end in "ly." Keep these words in mind the next time you play Mad Libs on a road trip—they include afterward, never, next, often, and almost. These adverbs are like the honey mustard of sandwich condiments—you might not even think you're eating mustard because they're so sweet and discreet.

Adverbs never modify nouns—that's a job strictly reserved for adjectives. Adjectives are like sentence cheese to the noun's meat; they make sure the adverb doesn't touch the noun. You do put the mustard on top of the cheese and not directly on the meat, right? We're not barbarians, after all!

The further I go into this metaphor, the hungrier I get. In this case, I suppose verbs are veggie toppings like lettuce, tomato, and probably pickles (although I'm personally not a pickle person).

Adverbs give additional information about when, where or how something happens. How did Kenny run? Kenny ran quickly. When did Byron start doubting the moon landing? Byron started doubting the moon landing yesterday. How frequently do you read the newspaper? I read the newspaper often.

Once you start noticing adverbs, you'll see them everywhere. It's kind of like buying a car—prior to buying the car, you don't notice many of the same models on the road, but after you buy it, you see your same car everywhere. Just be careful to not spill any mustard on your new interior.

Curtis Honeycutt is a nationally award-winning syndicated humor writer. Connect with him on Twitter (@curtishoneycutt) or at [curtishoneycutt.com](http://curtishoneycutt.com).



### The Edgerton Reporter Letters to the Editor Policy

The Reporter welcomes Letters to the Editor, however, letters must have a written signature, address and telephone number in order to be published.

Letters must be submitted by 5 p.m. Monday for Wednesday's publication. We will run as many letters as possible each week, but space is limited. For that reason, letters must not exceed 350 words. Letters will be run as soon as possible. We give priority to letters from area residents. We reserve the right to edit letters as necessary. Letters submitted to The Reporter should not be personal attacks, but should concern issues.

Letters on political issues will not be run in the publication the week prior to an election of candidates or referenda. This will prohibit someone from raising a question about a candidate or issue without allowing time for a response.

Note: Due to a glitch in the software, we are re-running last week's poll.

### THE EDGERTONREPORTER WEEKLY POLL

THIS WEEK'S TOPIC: SCHOOL FOOTBRIDGE

WHAT DO YOU THINK?

QUESTION 1

Do you or your children use the foot bridge?

QUESTION 2

Multiple times a day? Multiple times per week? Or rarely?

TAKE THE WEEKLY POLL AT

[edgertonreporter.secondstreetapp.com/School-Foot-Bridge-near-Blaine-Street-Poll](http://edgertonreporter.secondstreetapp.com/School-Foot-Bridge-near-Blaine-Street-Poll)

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You can also vote on our Facebook page!

CHECK BACK NEXT WEEK FOR THE POLL RESULTS!

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Full text of these legal notices appears on 14 & 15

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