



# Tony Evers

Office of the Governor | State of Wisconsin

May 27, 2021

## **By Hand Delivery**

Senator Roger Roth  
Room 313 South  
State Capitol  
Madison, Wisconsin 53707

Dear Sen. Roger Roth:

I recently became aware that you have asked individuals that I appointed to the University of Wisconsin Board of Regents and whose confirmations are still pending to disclose who they will vote for to be the next Board of Regents president. You first asked this question during a confirmation hearing for the appointees. You followed up in an email where you demanded to know whether each appointee will “uphold the orderly transition” or “politicize the process” for Board of Regents president. The clear implication of this question is that you, as chair of the Committee on Universities and Technical Colleges, will not advance these appointments unless the appointees vote for your preferred candidate for Board president.


This is not an appropriate question. State law strongly disfavors conditioning legislative action on the promise of future action and tit-for-tat politics. For example, Wis. Stat. § 13.05 prohibits “logrolling,” the practice of a legislator offering to vote or act (or not act) on a measure in exchange for another member’s vote or action. Similarly, Wis. Stat. § 13.06 prohibits legislators from conditioning their vote, action, or inaction on the Governor appointing or removing any person from office. While your actions do not violate the letter of these laws, they run contrary to the spirit of the law by conditioning legislative action—confirming an appointment—on taking specific action (i.e., voting for your preferred candidate for Board of Regents president).

In addition, your actions run contrary to Board of Regents policy. Specifically, the Board of Regents, by an overwhelming margin, recently upheld their Regent bylaws maintaining its process for selection of Board president by keeping the vote a secret ballot. This policy ensures that each Regent can vote their own conscience, avoid undue influence, and maintain collegiality among the Regents. Your question places these Regents in an impossible situation. They can either follow Board policy by keeping their vote secret and

face possible retribution from you in the confirmation process, or they can violate Board bylaws by answering your question.

Each of the individuals that I appointed to the Board of Regents is dedicated to helping advance our state and the Wisconsin Idea. They are graciously volunteering their time and talents to ensuring that the people of Wisconsin have one of the best university systems in the world. And they each have impeccable credentials, having succeeded in the private and public sectors. I hope that you and the committee promptly evaluate these appointees on their character and qualifications, not on the promise of voting the “right way” for Board president, and that you move swiftly to recommend and confirm them.

Sincerely,

A handwritten signature in black ink that reads "Tony Evers". The signature is written in a cursive, flowing style.

Tony Evers  
Governor