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*The Capitol Report for the Week of Oct. 18, 2018*

**Schimel, Kaul clash over partisanship, experience in debates**

The race for Wisconsin attorney general hasn’t gotten a lot of attention — given all the ads and coverage of the races for governor and U.S. Senate.

But recent ads from incumbent Republican Brad Schimel, Democratic challenger Josh Kaul and their allies, plus a flurry of debates, are allowing voters to know the candidates better.

One of the themes of Kaul’s challenge is that Schimel, a former Waukesha County district attorney, is too partisan. Schimel labels Kaul, a former federal prosecutor out of state, as somebody without the right experience.

One of Kaul’s targets is Schimel’s creation of the office of solicitor general. Kaul said in one recent debate that he’d keep the solicitor general at the Department of Justice if elected but would re-direct some resources and take a different approach toward using the office.

Schimel, meanwhile, called the office a "wild success" and said it's undefeated in court cases.

During a debate [organized by the Milwaukee Rotary Club and the Milwaukee Press Club](https://www.jsonline.com/story/news/politics/elections/2018/10/16/live-video-wisconsin-attorney-general-debate-between-schimel-kaul/1659367002/), Kaul said having the office makes sense because it identifies a DOJ employee as the chief appellate attorney.

Still, Kaul said he'd have several criteria for challenging federal laws and policies, and the policy would have to harm Wisconsinites and be unconstitutional. He faulted Schimel, saying the incumbent's use of the office falls short on the first point, including lawsuits to challenge environmental protections and the Affordable Care Act, which he said could end protections for those with pre-existing conditions.

Kaul said he also would move some positions from the office to criminal litigation. According to the Legislative Fiscal Bureau, the office is authorized to have a solicitor general, three deputies and support staff. The office's budget for 2016-17 was $790,300.

"I don't think that serves the interest of Wisconsinites," Kaul said of Schimel's focus with the office. "I think we have more resources in the solicitor general's office than we need."

Schimel, though, noted the office includes two former U.S. Supreme Court clerks and two others who clerked in the federal appeals courts. He said they "led the charge" against the Obama administration's Clean Power Plan, adding the U.S. Supreme Court issued an injunction to cease enforcement of the regulation just based on briefs submitted to the justices.

He agreed with Kaul that the office should be used to challenge unconstitutional actions, arguing the Clean Power Plan would have costs thousands of manufacturing jobs in Wisconsin.

"We have done things that have made Wisconsin stronger and safer," Schimel said. "I'm proud of the work that we've done."

One audience member asked about climate change and the role of the AG's office.

Schimel began his response saying, "I believe the climate is ever-changing, yes. To what degree human beings influence that, I'm not a scientist," prompting some laughs from the crowd. He also defended his record on the environment, which he says he cares about deeply, and touted 2017 as the best year for economic recoveries in environmental cases in DOJ's history.

Kaul countered he's not a scientist, but he "believes in science" and the consensus is climate change is impacted by humans and the state needs an AG who "is going to acknowledge that." Kaul also said fines collected from polluters have dropped dramatically under Schimel and companies that break environmental laws should be held accountable.

"In 2018, no parent should have to worry about the safety of our water," Kaul said.

In Wednesday's debate, their third in five days, the two covered much of the same territory they had in their previous meetings.

Kaul knocked Schimel for misplaced priorities, such as suing to overturn the Affordable Care Act. He hit Schimel for not handing out all of the grants under a school safety program before classes started, and added the Republican AG hasn't done enough to address the state's opioid and drug problems.

Schimel, meanwhile, called Obamacare unconstitutional and argued every candidate from both sides running for office this fall has promised to provide protections for those with pre-existing conditions, meaning a legislative remedy would be available if the law were overturned. Schimel also said he led the way in creating the school safety program and Wisconsin has been a leader in addressing opioid abuse and other drugs.

Schimel also continued to contrast his experience with Kaul. He noted several times his Democratic opponent returned to Wisconsin four years ago after working on the east and west coasts, and charged the challenger's courtroom experience was light compared to his own. He also defended himself against attacks of partisanship by pointing out the bipartisan support he has from DAs and sheriffs. If the attacks were true, Schimel said, he wouldn't have more Democratic sheriffs and DAs endorsing him than Kaul does.

Kaul countered by pointing out he's been endorsed by 61 former assistant attorneys general, including 45 with more than 900 years of combined experience at DOJ who said the agency has been a "mess" under Schimel.

Schimel said 70 percent of those 45 signed the recall petition for Gov. Scott Walker and all but five of them have a history of donating to Democratic candidates.

"That is the most partisan thing you could have said in response to this question," Schimel said.

*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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