

# NOTICE OF OPEN AND CLOSED MEETING

## Wisconsin Ethics Commission

101 E Wilson Street, St. Croix Room  
Madison, Wisconsin

**Teleconference Attendance: (608) 316-9000; ID # 1459594**

**To Request a Personal Appearance send an email to [Ethics@wisconsin.gov](mailto:Ethics@wisconsin.gov) by 4:00 p.m. on  
May 10, 2021**

Tuesday, May 11, 2021, 9:00 a.m.

### Open Session Agenda

- A. Call to Order
- B. Report of Appropriate Meeting Notice – Administrator
- C. Introduction of New Commissioner
- D. Selection of New Chair to fill Remainder of Term (July 1, 2022)
- E. Approval of Minutes of Prior Meetings
  - 1. Open Session Minutes for Meeting on February 23, 2020 Page 3
- D. Personal Appearances
- E. Staff Report Page 5
- F. Consideration of Future Agenda Items
- G. Closed Session
  - 1. Requests for Advice
  - 2. Complaints and Investigations
- H. Adjourn

#### Future Ethics Commission Meetings Scheduled:

- Tuesday, July 27, 2021 at 9:00 AM
- Tuesday, October 12, 2021 at 9:00 AM
- Tuesday, December 14, 2021 at 9:00 AM

*The Ethics Commission will convene in open session but may move to closed session under WIS. STAT. § 19.85(1)(c), (g), (h), or WIS. STAT. § 19.851. This notice is to inform the public that the Commission intends to convene in open session, but may move to closed session. The Commission plans to return to open session following that closed session, as outlined in the above agenda. WIS. STAT. § 19.85(2).*

WIS. STAT. §§ 19.50 & 19.55(3) No employee of the Commission may disclose information related to an investigation or prosecution under ch. 11, subchapter III of ch. 13, or ch. 19.

WIS. STAT. § 19.85(1) Any meeting of a governmental body, upon motion duly made and carried, may be convened in closed session under one or more of the exemptions provided in this section. The motion shall be carried by a majority vote in such manner that the vote of each member is ascertained and recorded in the minutes. No motion to convene in closed session may be adopted unless the chief presiding officer announces to those present at the meeting at which such motion is made, the nature of the business to be considered at such closed session, and the specific exemption or exemptions under this subsection by which such closed session is claimed to be authorized. Such announcement shall become part of the record of the meeting. No business may be taken up at any closed session except that which relates to matters contained in the chief presiding officer's announcement of the closed session. A closed session may be held for any of the following purposes:

- (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.
- (h) Consideration of requests for confidential written advice from the elections commission under s. 5.05 (6a) or the ethics commission under s. 19.46 (2), or from any county or municipal ethics board under s. 19.59 (5).

WIS. STAT. § 19.851(2) The commission shall hold each meeting of the commission for the purpose of deliberating concerning an investigation of any violation of the law under the jurisdiction of the commission in closed session under this section.



# Wisconsin Ethics Commission

Campaign Finance | Lobbying | Ethics  
101 East Wilson Street | Suite 127 | P.O. Box 7125 | Madison, WI 53707-7125  
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## Wisconsin Ethics Commission

Teleconference  
February 23, 2021  
9:00 a.m.

### Open Session Minutes

Present: David Halbrooks, Pat Strachota, Paul Connell, Mac Davis, Scot Ross, and Timothy Van Akkeren

Staff Present: Daniel Carlton, David Buerger, Richard Bohringer, Harry Broderick, Adam Harvell, Julie Nischik, and Caroline Russell

#### **A. Call to Order**

Commission Chair David Halbrooks called the meeting to order at 9:05 a.m.

#### **B. Report of Appropriate Meeting Notice – Administrator**

Commission Administrator Daniel Carlton notified the Commission appropriate meeting notice had been provided to the public and news media.

#### **C. Approval of Minutes of Prior Meetings**

##### **1. Open Session Minutes for Meeting on December 8, 2020**

**MOTION:** To approve the minutes. Moved by Commissioner Strachota, seconded by Commissioner Ross. Motion carried unanimously.

#### **D. Personal Appearances via Teleconference**

Ron Kossik appeared in open session to comment on campaign finance and changes to the disclosure laws.

Commissioner Davis requested the comments be narrowed to a topic which the Commission could address.

Mr. Kossik clarified he was present to discuss enforcement actions the Commission was taking against him.

Commissioner Davis suggested Mr. Kossik write a letter to the Commission addressing the topics he would like to be considered added to a future agenda.

## **E. Late Filing Campaign Finance Reports – Adjusted Standard Settlements**

Administrator Daniel Carlton presented the memo on page 7 of the meeting materials.

The Commissioners agreed with the policy. The Commission discussed creating an Administrative Rule for this process.

**MOTION:** The Commission directed staff to begin the rulemaking process to implement this policy as part of the standard settlement schedule. Moved by Commissioner Davis, seconded by Commissioner Van Akkeren. Motion carried unanimously.

## **F. Staff Report**

Administrator Daniel Carlton presented the report on page 9 of the meeting materials.

The Commission requested staff to issue a press release with details on the compliance of lobbying principals submitting timely Statements of Lobbying Activity and Expenditures.

## **G. Consideration of Future Agenda Items**

The Commission did not discuss any future agenda items.

## **H. Closed Session**

**MOTION:** To go into closed session to discuss requests for advice, complaints, and investigations. Moved by Commissioner Connell, seconded by Commissioner Strachota. Motion carried unanimously.

- 1. Requests for Advice**
- 2. Complaints and Investigations**

## **I. Adjourn**

**MOTION:** To adjourn the meeting. Moved by Commissioner Strachota, seconded by Commissioner Van Akkeren. Motion carried unanimously.

Meeting adjourned at 3:52 p.m.

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February 23, 2021 Wisconsin Ethics Commission meeting minutes prepared by:

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Julie Nischik, Office Management Specialist

May 11, 2021

February 23, 2021 Wisconsin Ethics Commission meeting minutes certified by:

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Pat Strachota, Vice Chair

May 11, 2021





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**DATE:** For the Commission Meeting on May 11, 2021  
**TO:** Members, Wisconsin Ethics Commission  
**FROM:** Ethics Commission Staff  
**SUBJECT:** Ethics Commission Staff Report

## **Commission Administration**

### Office Management Specialist

The Commission's staff has been very busy recruiting a new Office Management Specialist. Staff believes that it has identified a successful candidate and is proceeding with next steps. Staff hopes the candidate will be onboard by June 1, 2021.

### Administrative Rules

The Commission's amendments to ETH 1 (CR#20-010) and ETH 26 (CR#20-019) were both referred to the Joint Committee for Review of Administrative Rules (JCRAR) in February 2021, and JCRAR's review period has now lapsed. The final step of promulgation is filing certified copies of the rules with the LRB for final publication. The rules will each go into effect the 1<sup>st</sup> day of the month after publication.

Ethics Commission staff continue to work on additions to ETH 21 – Practice and Procedure, regarding the process to be used for complaints and requests for advisory opinions received by the Commission.

### Training

Staff Counsel presented a training to the members of the Group Insurance Board at its meeting on February 17, 2021. The Commission has been invited to present again at the Municipal Clerks Institute in Green Bay on July 12, 2021. The Commission is also scheduled to present a training at the Wisconsin Municipal Clerks Association's annual conference in Brookfield on August 26, 2021.

## **Campaign Finance**

### Spring Pre-Primary 2021

All candidates registered for the April 6, 2021, election were required to file the Spring Pre-Primary 2021 report by February 8, 2021. There were 60 candidates required to file this report,

and all 60 did file the report by the February 8, 2021, due date. All other committees supporting or opposing these candidates also filed by the due date.

### Spring Pre-Election 2021

All spring candidates were required to file a Spring Pre-Election 2021 report by March 29, 2021. There were 60 candidates required to file this report, with 3 filing 1 day late, and all others filing on time. There were 42 political party committees that filed (2 after the due date), along with 77 PAC and Independent Expenditure Committees (3 filing after the due date).

### Post-Election Special 2021 (13<sup>th</sup> Senate/89<sup>th</sup> Assembly)

All candidates for the Special Elections in the 13<sup>th</sup> Senate and 89<sup>th</sup> Assembly Districts, along with the committees supporting or opposing these candidates are required to file a Post-Election report within 45 days after the election (due 5/21/21).

### Special Election Assembly District 37

On April 23, John Jagler was sworn in as the newest State Senator for Senate District 13. He was the incumbent State Assembly Representative for Assembly District 37. As of the date of this memo, Governor Evers has not yet issued an Executive Order to call the special election to fill this vacancy.

## **Lobbying**

### 2021-2022 Legislative Session

As of April 26, 2021, there are 589 lobbyists licensed, 740 principals registered and 1,544 lobbyist authorizations. The vast majority of lobbying related fees were paid electronically. The new staff procedure, approved by the Commission in October of 2020, of sending official notice that a lobbying fee is due fourteen calendar days after the application is submitted has worked exceptionally well. Staff has not needed to send any warnings for late payment of lobbying fees since February.

Statutes require each lobbying principal to submit a Statement of Lobbying Activities and Expenditures (SLAE) twice a year. The statutory deadline, July 31, 2021, falls on a Saturday. Therefore, the deadline is moved to the next succeeding day that is not a Sunday. [WIS. STAT. § 990.001\(4\)\(c\)](#). The next SLAE covering January-June 2021 will be due on Monday, August 2, 2021.

### Legislative Liaison Reporting

The 6-month legislative liaison report was due January 31, 2021. All but 4 reports were filed on time, and the last report was filed February 22, 2021.

## **Code of Ethics and Financial Disclosure**

### Statements of Economic Interests (SEIs)

As of April 26, 2021, there were 2,408 total state public officials required to file an SEI for 2021. This includes 461 annual filers who had not yet filed their SEI due April 30<sup>th</sup>. Initial notices went out in December and January, and all filers received notice by January 13<sup>th</sup>. Reminders went out on April 2<sup>nd</sup> and April 23<sup>rd</sup>. Staff will continue to follow up until all SEIs are filed.

### State of Wisconsin Investment Board Quarterly Reports

The 2020 fourth quarter reports were due by February 1<sup>st</sup>, 2021. Except for one waiver question, all SWIB filers filed within the grace period and their reports have been transferred to the Legislative Audit Bureau. The 2021 first quarter reports are due by April 30, 2021. Staff will continue to follow up until the last report is filed.