

NOTICE OF OPEN AND CLOSED MEETING

Wisconsin Ethics Commission

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

Tuesday, August 5, 2025, 9:00 a.m.

Open Session Agenda

- | | |
|----------------------------------------------------------------------------------------------------|--------------|
| A. Call to Order | |
| B. Report of Appropriate Meeting Notice – Administrator | Verbal |
| C. Approval of Minutes for Meeting on May 13, 2025 | Page 3 |
| D. Personal Appearances | |
| E. Consideration of 2026 Meeting Dates | Page 7 |
| F. New Campaign Finance Website | Page 11 |
| G. Consideration of Legislative Proposal | Page 21 |
| H. Consideration of Formal Opinion 2025 ETH 02 – Use of Campaign Funds for Computer and Cell Phone | Page 27 |
| I. Proposed Update to Commission Policy – Administrative Suspension | Page 33 |
| J. 2025 Annual Report | Supplemental |
| K. Staff Report | Page 41 |
| L. Consideration of Future Agenda Items | |
| M. Closed Session | |
| 1. Request for Advice | |
| 2. Complaints and Investigations | |
| 3. Litigation/Potential Litigation | |
| 4. Audit Matters | |
| 5. Adjourn | |

Future Ethics Commission Meetings Scheduled:

- Tuesday, October 21, 2025, at 9:00AM
- Tuesday, December 16, 2025, at 9:00 AM

The Ethics Commission will convene in open session but may move to closed session under WIS. STAT. § 19.85(1)(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 does not plan to return to open session following that closed session. WIS. STAT. § 19.85(2).

WIS. STAT. §
19.46(2)(c)1.

1. Any individual may request in writing, electronically, or by telephone a formal advisory opinion from the commission or the review or modification of a formal advisory opinion issued by the commission under this paragraph. The individual making the request shall include all pertinent facts relevant to the matter. The commission shall review a request for a formal advisory opinion and may issue a formal advisory opinion to the individual making the request. Except as authorized or required for opinions specified in s. [19.55 \(4\) \(b\)](#), the commission's deliberations and actions upon such requests shall be in meetings not open to the public.

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 an 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.

WIS. STAT. § 19.851(3)

The commission shall convene in closed session for any of the following purposes:

(a) To consider whether there is a reasonable suspicion or probable cause to believe that a violation of the law occurred or is occurring based on a complaint and, if received, a response to that complaint.

(b) To receive reports concerning audit findings and consider whether there is a reasonable suspicion or probable cause to believe that a violation of the law occurred or is occurring.

Wisconsin Ethics Commission

101 E Wilson Street, St. Croix Room
Madison, Wisconsin
Tuesday, May 13, 2025, 9:00 a.m.

Open Session Minutes

Present: Andrew Weininger, Pat Strachota, Gerald Ptacek, Debra Kolste, and Paul Higginbotham.

Absent: Maryann Sumi

Staff Present: Daniel Carlton, Colette Greve, David Buerger, Catherine Luoma, Richard Bohringer, Chloe Ruppel, Coleman Maberry, and Thomas Jackson.

A. Call to Order

Commission Vice Chair Weininger called the meeting to order at 9:11 a.m. A quorum was present.

B. Report of Appropriate Meeting Notice – Administrator

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

C. Approval of Minutes for Meeting on February 25, 2025

MOTION: To approve minutes. Moved by Commissioner Strachota, seconded by Commissioner Ptacek.

5-0 Motion carried unanimously.

D. Budget Request for 2025-27 Biennium

Administrator Daniel Carlton shared the Campaign Finance Program Revenue Budget and requested changes.

MOTION: Commission to authorize Administrator Carlton to change to FY26 budget as outlined. Moved by Commissioner Kolste, seconded by Commissioner Higginbotham.

5-0 Motion carried unanimously.

E. Personal Appearances

There were no personal appearances.

F. Staff Report

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

G. Closed Session

1. Request for Advice
2. Complaints and Investigations
3. Litigation/Potential Litigation
4. Audit Matters
5. Personnel Matters

MOTION: To go into Closed Session to discuss requests for advice, complaints, investigations, legal advice regarding potential litigation, and personnel matters. Moved by Commissioner Higginbotham, seconded by Commissioner Ptacek.

5-0 Motion carried unanimously.

H. 2025-ETH 01 – Use of Campaign Funds for Mileage Reimbursement

Assistant Administrator Colette Greve presented the draft formal advisory opinion on page 9 of the meeting materials.

MOTION: Adopt the formal advisory opinion as drafted by staff. Moved by Commissioner Ptacek, seconded by Commissioner Higginbotham.

4-1 Motion carried. Commissioner Strachota opposed.

Commissioner	Yea	Nay	Abstain	Other
Maryann Sumi				Absence
Andrew Weininger	X			
Pat Strachota		X		
Gerald Ptacek	X			
Paul Higginbotham	X			
Debra Kolste	X			

I. Consideration for Future Agenda Items

J. Adjourn

MOTION: To adjourn the meeting. Moved by Commissioner Kolste, seconded by Commissioner Higginbotham.

5-0 Motion carried unanimously.

The meeting was adjourned at 3:08 PM.

May 13, 2025, Wisconsin Ethics Commission meeting minutes prepared by:

Catherine Luoma, Office Management Specialist August 5, 2025

May 13, 2025, Wisconsin Ethics Commission meeting minutes certified by:

Andrew Weininger, Vice Chair August 5, 2025



Wisconsin Ethics Commission

Campaign Finance | Lobbying | Ethics
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DATE: For the Commission Meeting on August 5, 2025
TO: Members, Wisconsin Ethics Commission
FROM: Daniel A. Carlton, Jr., Administrator
SUBJECT: 2026 Commission Meeting Dates

FOR COMMISSION ACTION

For the 2026 meeting schedule the Commission may:

1. Adopt the schedule discussed herein; or
2. Adopt a different schedule in accordance with today's discussion.

2026 Meeting Schedule

Pursuant to [WIS. STAT. § 15.06\(5\)](#), the Wisconsin Ethics Commission is required to meet at least 4 times each year. Between 2017 until 2020, the Commission met at least 7 times per year. In 2021, the Commission met 5 times. In 2022, the Commission had 5 meetings scheduled, but only met 4 times. In 2023 and 2024 the Commission met 8 times. In 2025 the Commission is scheduled to meet 5 times.

Staff examined known election dates, filing deadlines, and other important dates for the year. Staff has included two proposed schedules. One schedule has 4 meetings and the other has 5 meetings. The Commission is not bound by these proposed dates and can select alternative dates. The Commission can add additional meetings if necessary.

Staff propose the following meeting dates for the year 2026:

Commission Meeting Date	Materials Deadline ¹
March 10, 2026	February 27, 2026
June 23, 2026	June 12, 2026
September 22, 2026	September 11, 2026
December 15, 2026	December 4, 2026

¹ While there is no statutory requirement to provide materials to the Commissioners by a particular time, staff practice has been to send meeting materials to the Commission members approximately two weeks prior to the next meeting. These dates are subject to change and are provided for reference only. If an alternate meeting date is suggested, it is important to also consider any events occurring two weeks prior to the alternate date.

Commission Meeting Date	Materials Deadline
February 24, 2026	February 13, 2026
May 12, 2026	May 1, 2026
September 1, 2026	August 21, 2026
October 20, 2026	October 9, 2026
December 15, 2026	December 4, 2026

Attachment: 2026 Important Dates Calendar

Calendar for Year 2026 (United States)

January

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December

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| <p>Jan 1 • New Year's Day</p> <p>Jan 15 • January Continuing 2026 Filing Deadline</p> <p>Jan 19 • Martin Luther King Jr. Day</p> <p>Jan 31 • July to December 2025 SLAE Filing Deadline</p> <p>Feb 9 • Spring Pre-Primary 2026 Report Filing Deadline</p> <p>Feb 16 • Presidents' Day</p> | <p>Feb 17 • Spring Primary Election</p> <p>Mar 30 • Spring Pre-Election 2026 Report Filing Deadline</p> <p>Apr 7 • Spring Election</p> <p>May 25 • Memorial Day</p> <p>Jun 19 • Juneteenth</p> <p>Jul 3 • 'Independence Day' day off</p> <p>Jul 4 • Independence Day</p> <p>Jul 15 • July Continuing 2026 Filing Deadline</p> | <p>Jul 31 • January to June 2026 SLAE Filing Deadline</p> <p>Aug 3 • Fall Pre-Primary 2026 Report Filing Deadline</p> <p>Aug 11 • Fall Primary Election</p> <p>Sep 7 • Labor Day</p> <p>Sep 30 • September 2026 Report Filing Deadline</p> <p>Oct 12 • Columbus Day</p> | <p>Oct 26 • Fall Pre-Election 2026 Report Filing Deadline</p> <p>Nov 3 • Fall Election</p> <p>Nov 11 • Veterans Day</p> <p>Nov 26 • Thanksgiving Day</p> <p>Dec 6 • COGEL Annual Conference Dec 6-9th</p> <p>Dec 25 • Christmas Day</p> |
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DATE: For the Commission Meeting on August 5, 2025

TO: Members, Wisconsin Ethics Commission

FROM: Daniel A. Carlton, Jr., Administrator

SUBJECT: New Campaign Finance Website Update

FOR COMMISSION ACTION

1. No Action Required for this Agenda Item.

Introduction

As the Commissioners are all aware, the Commission has been working with a vendor to get a new, modern campaign finance website. The purpose of this memo is to provide a final report and detail the transition to the new campaign finance website.

Final Report

For brevity's sake, this memo will not detail the full history of this project. However, it will highlight significant events. Initially, it is important to note that there was no affordable, viable alternative to working with a vendor on this project. Campaign finance laws are unique from state to state so these are largely custom-built websites. Many states build their own campaign finance website. This was the Commission's intent but, due to circumstances outside of the Commission's control, the Commission had to quickly pivot to a vendor-based model. The contract with the vendor, Civera, provided for a "build phase" and a "maintenance phase." Once the 2023-25 Biennial Budget passed and was signed in early July 2023, the Commission began working with the vendor and the Department of Administration's Division of Enterprise Technology ("DET") to complete the "build phase" of the project.

The "build phase" consisted of two things: building the website itself and a DET review we were told was required. For clarity, this memo will discuss the actual building of the website first and then address the parallel DET review that was ongoing concurrently.

Work started on the new campaign finance website in earnest in the summer of 2023. Commission staff provided Civera a rudimentary document with the business needs the website would need to accomplish. Civera took this rudimentary document and went to work. Over the course of several months, they worked on the website. Then, in October 2023, Civera provided the first iteration of the filer's part of the website. Staff spent a significant amount of time testing and providing feedback. This process continued through the spring of 2024. Once we felt comfortable that we had a very early beta product, we decided to get outside testers involved. There were several people

that had volunteered to do early testing in conversations with the Administrator. During the summer of 2024, the individuals that indicated an interest in beta testing the new website were provided an opportunity to test it. The testing identified some bugs and some suggestions for user experience improvements. While there was still a lot of work to do, it was clear from the feedback that testers appreciated the direction the website was heading.

Work on the new website continued through the fall of 2024 with completion of the login and multi-factor authentication, refinement to manual entry of transactions, and further work on the uploader feature that allows users to import their data from an Excel spreadsheet or .csv file. Then, in early 2025, we believed we were nearing a final state. Civera and Commission staff decided to do another round of testing due to significant changes and addressing other feedback provided in testing. This time, the Commission contacted every current registrant that is actively filing reports (more than 1000 registrants) and offered them the option to test. We had about 85 people ask for the ability to test. Testers were allowed a couple of weeks to test and provide feedback. Of those, we received feedback from 20-30 testers. This feedback was evaluated and, where necessary, addressed by the vendor. We were prepared to launch the new website in June.

During this time, Commission staff was working with DET on its review. At the time of the contract, the Commission's staff was told that a Cloud Brokerage Review ("CBR") was required. A CBR consists of both an architecture review and a security review. However, that process was really designed for a completed product. As noted above, this was a process of building an entirely new application. Commission staff did not believe that it was appropriate to do a CBR without the product being built, but ultimately agreed to do a CBR because it would provide an independent evaluation of the product the Commission was receiving. Commission staff believed this to be highly valuable. However, as expected there were a number of problems that arose because the product was not built and decisions had not been made. There were a number of challenges both for DET and the Commission's staff. Ultimately, the Commission staff and DET agreed to continue to work together to make sure that the new website would be architecturally sound and secure.

This process was not easy for either DET staff or the Commission's staff. There was a lot of work by both sides that went into reviewing the site from last summer until now. DET made suggestions along the way, all of which were incorporated or otherwise addressed. This work was ongoing through the spring of 2025. Among this work was completion of the architecture review and work on the security of the product. DET even conducted a security scan of the new application. The application passed with flying colors. This work culminated in starting a new CBR in June 2025. Due to the impending planned launch, DET extended the courtesy of expediting this new CBR.

On July 8, 2025, the Administrator learned that DET had completed the CBR and determined that the website was satisfactory. DET included in that determination several recommendations and conditions. Each of the recommendations and conditions were satisfied prior to completion of the CBR except one: implementing MyWisconsinID.¹ There were significant concerns about how that would affect the Commission and its stakeholders. So, we had previously agreed with DET that

¹ MyWisconsinID is a project that, initially, would have required every citizen of Wisconsin to have a single login and password to access state websites. Similar projects have been done in other states. However, staff could not find any state ethics board/commission that was participating in their state's version.

we were not going to implement MyWisconsinID until sometime in 2026 (well after the completion of this project). There have been significant changes recently to the MyWisconsinID project and the Commission's participation in it is still being discussed.

One other thing that was noted was having a documented exit plan. The Commission's contract with Civera states that, after two years of post-launch maintenance, Civera would provide a full and complete copy of the code and would assist the Commission in taking over ownership and maintenance of the new system. DET has encouraged the Commission to reconsider this decision and maintain ongoing support from Civera on what is known as a Software-as-a-Service (SaaS) basis. This model is different than that previously approved by the Commission. DET and the Commission's Administrator discussed that, if the Commission does not transition to a SaaS model, there may be difficulties in transitioning the website ownership to the Commission. Specifically, DET explained that it does not yet have some tools needed to implement the website on an Enterprise server and that it may not have them when service ends. They also advised that the Commission may need to hire a platform engineer to help with the transition. This presents some risk in that there could be additional costs beyond what was envisioned when we embarked on this project. Civera has assured us that they would provide sufficient resources to allow us to assume control over the new website when or if that occurs. At some point in the second year of the maintenance phase with Civera, the Administrator will update the Commission on the status of the new website and present the Commission the choice of transitioning to a SaaS model or staying with the current plan of assuming responsibility of the website as planned. This decision will be heavily influenced by Civera's service during that time. For now, an exit strategy is spelled out and we are satisfied that the risks concerning transitions are acceptable.

The Commission's Administrator was given an opportunity to respond to the CBR findings. Via letter dated July 18, 2025, the Administrator filed a response noting that most of the recommendations/conditions had already been satisfied. The response noted that there is an exit plan in place and that we understand that there is some risk that DET may not be able to provide the support needed if we end up transitioning to complete ownership and maintenance of the new website as planned. The response states we will notify DET 6 months before the end of the contract whether the Commission intends to transition to a SaaS model or will assume responsibility. It also notes that conversations concerning MyWisconsinID are ongoing and that matter will be addressed in the future. A copy of the response is attached to this memo.

Summary

Almost all of the website has been built. There are still a few tools that remain to be built on the staff administrative side of the website. These tools will allow us to assist registrants and more efficiently conduct audits. They do not impact our ability to launch the website or users' ability to fulfill their obligations. All but a couple of bugs have been fixed. These bugs are minor and will be fixed before launch. Civera is also completing educational materials, which will be discussed below. The CBR was approved and is valid for 1 year. A new CBR will be done next year to ensure continued compliance. From both a website and DET review standpoint, we are ready to launch. In fact, we probably could have launched in mid-June.

While we could have launched in June, the Commission received a request from stakeholders to delay launching the new website until after the July Continuing report due date (July 15, 2025). In light of that valuable feedback from the stakeholders, launch was delayed. Below, the launch and training plans will be discussed.

Before discussing the launch and training plans, it is important to take a look back at the financial aspect of this project. The contract was crafted to cover two separate stages: a “build phase” and a 2-year maintenance phase. The 2023-25 Biennial Budget provided up to \$300,000 for the “build phase” and up to \$150,000 per year of the maintenance phase.

The Commission was able to negotiate a lower price than what was budgeted. The final contract with Civera provided for a “build phase” cost of \$285,000 and a maintenance phase cost of \$135,000 per year for two years. The build phase is complete and the final cost of the build phase was \$285,000. There were no additional charges related to this portion of the project.

The only additional expense incurred during the build phase was not contemplated in the original contract. In building the database and converting the historical data currently in the system, Civera determined that there was a significant amount of duplicated data in the database. Specifically, Civera noted that most of the duplicated data came from duplicate entities such as contributors, vendors, businesses, and registrants. The Commission was not previously aware of the extent to which there was duplicated data. Civera recommended deduplicating this data because the duplicated data would slow down searches and make the system less efficient.

The Commission agreed to pay Civera \$20,000 to deduplicate data so that the new site would run optimally. The Commission provided Civera all the data from the launch of the current site until the end of February 2025 to test and refine their deduplication process. The results of the initial deduplication are detailed in the following table:

Data Type	Count Before Deduplication	Count After Deduplication	Deleted Data	Percent Reduction
Entity	11,569,386	2,580,863	8,988,523	78%
Registrants	70,152	30,776	39,376	56%
Transactions	11,981,190	11,981,190	0	0%
Reports	131,384	131,384	0	0%

As you can see, the deduplication project was extremely successful. As a result of this project, the amount of data for entities (individuals, businesses, committees, banks, most of which were created as a result of being entered as a payer/payee) was reduced by 78%. The amount of data for registrants was reduced by 56%. The bottom two rows of the table show that these efforts did not result in any lost transactions or any lost reports. The systematic efficiencies gained by this effort are well worth the cost of the project.

Civera will run a final deduplication immediately prior to launch. Even with this additional cost, the overall cost of the project will be less than what was budgeted.

Since the “build phase” and deduplication are now complete, we have transitioned to the maintenance phase as of July 1, 2025. During this phase, we are going to provide additional tools to Commission staff and continue to refine and improve the application as warrants. Under the contract, Civera has agreed to provide additional features, whether by our request or requested by another customer, at no additional cost. We expect that there will not be any further costs beyond the \$135,000 per year for the two-year maintenance phase of the contract.

Transition Plan

Now that we are in a posture to launch the new website, we are ready to do so. We have worked with Civera on the launch plan which is as follows:

- August 15, 2025: During the day, we will take down the current website for the final time. No further data will be able to be input as of that time. A final copy of the data will be transferred to Civera for deduplication and conversion.
- August 16-18: During this time, Civera will perform the final data deduplication and data conversion. The Commission’s IT contractors and Administrator will be available for consultation as needed, even during the weekend.
- August 19, 2025: Final Launch. The website will be up and ready to use.

Training Materials and Sessions

Civera has been working on brief video tutorials on how to use the system. These videos cover the basics of the tasks a user will need to do. These videos last approximately 3 minutes each. These will be on the website at launch. Civera is also working on a manual, which will be available in the near future.

One of the benefits of delaying the launch is that the next report is not due until January 15, 2026. Users have about 5 months to learn to use the new system before a report is due. The Commission’s staff is going to make good use of this time and conduct a heavy cycle of our own training sessions. We want users to have the best possible experience with the website and for the transition to be as easy as possible. While we believe that the website is a huge improvement above the current website, we understand that it is significantly different. We want to work with filers to make that transition as easy as possible. To give the best possibility of success, we will do two different types of training for each registrant type. First, we will do an online training seminar which will be recorded and posted on the Commission’s website. Second, we will also do “Office Hours” where the registrants can come in and get assistance from staff directly just like college professors do. The dates below are approximate and may be changed. All online trainings will be recorded and posted on the Commission’s website. That being said, our plan for our training sessions is as follows:

- Week of August 25, 2025- Conduct online training for conduits. The conduits are active on an ongoing basis and will need to do transmittal letters during the fall so we are prioritizing them first.
- Friday, August 29, 2025- Office Hours for Conduits
- Week of September 8, 2025- Conduct online training for Candidate Committees.
- Friday, September 12, 2025- Office Hours for Candidate Committees
- Week of September 22, 2025- Conduct online training for Candidate Committees.

- Friday, September 26, 2025- Office Hours for Candidate Committees
- Week of October 6, 2025- Conduct online training for PACs
- Friday, October 10, 2025- Office Hours for PACs
- Week of October 20, 2025- Conduct online training for IECs
- Friday, October 24, 2025- Office Hours for IECs
- Week of November 3, 2025- Conduct online training for Political Parties
- Friday, November 7, 2025- Office Hours for Political Parties
- Week of November 17, 2025- Conduct online training for Political Parties
- Friday, November 21, 2025- Office Hours for Political Parties

We plan to have additional candidate committee training opportunities in December and January. Depending on the training feedback and upon demand, we may also provide additional training for other types of registrants during that time.

Attachment: Ethics Commission Response to Cloud Brokerage Review



Wisconsin Ethics Commission

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Sent via email only to: Montgomery.Cordell@wisconsin.gov and William.Brinkley@wisconsin.gov

July 18, 2025

Montgomery Cordell, Assistant Administrator
 Bill Brinkley, Chief Information Security Officer
 Wisconsin Department of Administration
 Division of Enterprise Technology

Re: Response to Cloud Brokerage Review

Dear Monty and Bill,

Thank you for the time that you and the other DET staff have spent conducting the Cloud Brokerage Review (“CBR”) of the Commission’s new campaign finance application. I truly appreciate the team’s quick work on this matter. As you are aware, DET has approved the solution with conditions. The purpose of this letter is to respond to the feedback and/or conditions.

The first condition noted in the CBR is that a clear exit strategy be defined. It is important to note that Civera will be maintaining the application for the next two years. At the end of the contract, Civera and the Commission may mutually agree to continue the relationship on a SaaS basis. However, if there is a termination of the relationship, the Commission and DET agree that DET will provide a tenant/account in the Enterprise AWS tower. The Commission and its IT contractors will be responsible for managing the infrastructure and the application code base. A determination will be made, and DET will be notified, six months before the termination of the relationship with Civera. Civera has agreed to provide the necessary resources to assist in transitioning the application to an Enterprise AWS server tenant.

Regarding a sudden termination situation, we have been planning on asking for our branch of the code near/shortly after launch; including any documentation. If Civera suddenly goes out of business, or otherwise pivots out of this product space, Civera will provide the Commission a full code repository. Civera will also provide adequate documentation and knowledge sharing to enable the Commission to set up the environment and application successfully. In the event of a sudden end, such as Civera going out of business, the Commission would use the funds available to retain a platform engineer. If not, we would work through the appropriate budget mechanisms to fund any needs we might have. The Commission’s IT contractors are expected to learn and take on full responsibility for the application. They are actively doing so now.

You and I discussed the foregoing, and it is my understanding that you agree that the foregoing description of the exit strategy is sufficient. We have discussed the challenges of having the Ethics Commission take over responsibilities to manage the infrastructure and support the application. As mentioned in the foregoing, additional resources such as a platform engineer may be required to cover gaps in knowledge and DET service delivery. That being the case, this condition is satisfied, and the Ethics Commission accepts these risks.

Wisconsin Ethics Commissioners

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Administrator

Daniel A. Carlton, Jr.

The second condition noted in the CBR was that data retention procedures should be documented and agreed upon between the Commission and Civera before production use of the application. At the outset, it is important to note that Civera is required to comply with Wisconsin's public records laws via contract. Further, Civera has agreed to maintain records as required by the Commission. The Commission has applicable RDAs and records disposition policies. However, because of the high public interest in campaign finance records, the Commission generally keeps records on an indefinite basis. Therefore, Civera has agreed not to destroy any records without the Commission's approval. Further, it is important to note that the Commission's RDAs and its current practices were thoroughly reviewed by the Public Records Board earlier this year. The PRB did not have any concerns or reservations about the Commission's policies or the retention of these records.

As the contract already addresses these issues, and in light of the fact that Civera has agreed not to dispose of anything without the Commission's approval, this condition is also satisfied.

The third condition noted in the CBR was that data residency and application access requirements should be understood and agreed upon between the Commission and Civera before production use. It was further noted that there are certain restrictions on vendors accessing State of Wisconsin systems and/or data from outside of the United States. One thing specifically discussed during the CBR process was the concern about protection of judicial officers' personal information as required in 2023 Wisconsin Act 236. As to these concerns, the vast majority of the records are open to public inspection and copying. The only exception to this is the information requested to be kept confidential by the Act. Under the Act, the Commission's staff must review, on a quarterly basis, the records in its possession for protected information. The Commission's staff is responsible for maintaining appropriate protections upon receipt of a request. The new application provides an easy-to-use tool to redact any protected information from publicly available online pages. Moreover, the Commission's staff will manually redact protected information from static pdf documents and work with Civera to replace the unredacted files with redacted ones. As required, Civera will maintain the production data and host the application within the United States. As is standard amongst agency contracts with vendors, Civera and its agents have agreed to abide by confidentiality and records laws by contract. This includes its agents outside of the United States. Any data transmitted overseas will be used for testing purposes only. Further, Civera will provide data to their offshore team without confidential information or redacted versions of the data for development and testing purposes where appropriate. Where necessary and appropriate, data masking will occur both at rest and in transit.

As you are aware, data residency and access was specifically addressed per DET's request in the roles and responsibilities RACI document. Further, the foregoing explains how the Commission, not Civera, will implement 2023 Wisconsin Act 236. Therefore, this condition is also satisfied.

The fourth condition noted in the CBR was that, to align with enterprise standards, the Ethics Commission should use SSO/SAML with Entra ID to authenticate State Employees into the cloud service via the ACCOUNTS domain. As has been previously noted, Civera built Entra ID authentication via the ACCOUNTS domain into the application. It is the Commission's understanding that this bulletpoint is intended to apply only to Ethics Commission staff. It is illegal for any state officer or employee to use state money or resources for campaign finance activity. This would include Entra ID and the State's ACCOUNTS domain. As this prohibition would not apply to Commission staff acting in the normal course of Commission business, the application was set up with Entra ID authentication capability. The

Commission expects its staff to authenticate via Entra ID as directed by the Commission's Administrator. The Administrator has tools to verify that staff are accessing via Entra ID and will periodically review staff access to assure that staff are using Entra ID for authentication purposes.

Finally, the last condition is that, to align with enterprise standards, the Commission should use MyWisconsinID to authenticate external users accessing the application. The Commission is aware of this standard. There are a number of considerations that are still under review and consideration. The Commission looks forward to continued dialogue about the unique concerns it has about implementing it. That being said, if the Commission does implement MyWisconsinID, it intends to do so uniformly across all three of its reporting applications. This is because there is a significant overlap in users amongst the three applications and transition would be smoother if it was implemented simultaneously in all three applications.

The Commission has sufficient assurances that the solution substantially complies with Standards 160 and 161. Civera has been provided and will ensure compliance with Standards 160 and 161. The application uses multi-factor authentication by text message to verify the identity of the person inputting data, filing reports, registering campaign finance committees and conduits, and amending any of the foregoing. Moreover, Civera has provided DET specific information about how it complies with Standards 160 and 161. This information is available upon request. Additionally, there has been significant security testing by both DET and Commission staff. We are confident that the application is secure. Therefore, the Commission is comfortable with proceeding with launch pending resolution of when the Commission will implement MyWisconsinID.

As you can see, most of the conditions noted in the CBR approval have already been satisfied. That being the case, there is minimal, if any, risk to the Commission or the Enterprise. To the extent that there is any risk related to MyWisconsinID not being implemented, the Commission is satisfied that the application substantially complies with Standards 160 and 161. Therefore, the Commission is comfortable proceeding with publicly launching the new campaign finance website.

Please accept this letter as an acknowledgement that the conditions have been met and documentation of their satisfaction (except MyWisconsinID).

Sincerely,



Daniel Carlton, Jr.
Commission Administrator
Wisconsin Ethics Commission



Wisconsin Ethics Commission

Campaign Finance | Lobbying | Ethics
101 E. Wilson Street | Suite 127 | P.O. Box 7125 | Madison, WI 53707-7125
(608) 266-8123 | ethics@wi.gov | <https://ethics.wi.gov>

DATE: For the Commission Meeting on August 5, 2025

TO: Members, Wisconsin Ethics Commission

FROM: Daniel A. Carlton, Jr., Administrator

SUBJECT: Consideration of Legislative Proposal

FOR COMMISSION ACTION

For this agenda item, the Commission could take one of the following actions:

1. Support the legislative proposal;
2. Oppose the legislative proposal; or
3. Take action consistent with today's discussion.

Representative Nate Gustafson serves as the Chair of the Assembly Committee on Science, Technology, and AI. He also serves as Co-Chair of the Joint Committee on Information Policy and Technology. Rep. Gustafson's staff contacted the Administrator towards the end of April. Staff stated that the Representative was aware that the Commission was working on a new campaign finance website and wanted to discuss the Commission's experience in the information technology field.

The Administrator met with Representative Gustafson on May 1, 2025. The conversation covered a number of IT-related subjects ranging from the Commission's campaign finance website project to security issues and the usefulness of AI in the context of the Commission. The Administrator considered this conversation to be background in nature and did not expect or ask for any legislation to come from the meeting.

During the meeting, Representative Gustafson asked if there was anything that the Administrator felt was needed by the Commission. As the Commissioners are aware, the campaign finance website experienced a couple of security events during the past couple of years. These events did not compromise the campaign finance data. However, steps had to be taken to address the concerns. The Administrator was advised not to provide specific information outside of the Commission for security reasons. Generally, there was concern that some information that could be disclosed in describing the problem would provide information to the public that should not be available. One of the considerations in this advice was that there was no specific statutory provision requiring confidentiality of records or the information itself. As such, whether someone in possession of that information would disclose that information is a question of that person's subjective determination of application of the balancing test. Without a specific statutory provision, the Administrator will likely have to discuss future information security matters in open session. This may result in a less than complete picture of the matter being provided to the

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Administrator

Daniel A. Carlton, Jr.

Commission. Additionally, the Commission strives to be open with the appropriate individuals in the Legislature, but it cannot do so easily under current records and meetings law. So, the Administrator mentioned that a specific statutory provision that would allow the Commission to convene in closed session to discuss information security matters, with a concomitant public records exception, would be helpful. The Administrator also advised that the exceptions should allow the Commission to share important information with the appropriate individuals or committees in the Legislature. As noted above, the Administrator was only providing information to a legislator, was not specifically asking for legislation, and did not expect potential legislation to come from the meeting.

A couple of weeks later, Rep. Gustafson's staff reached out and indicated that Rep. Gustafson was considering a bill to address the confidentiality of IT security matters. A draft was provided to review and provide feedback on. The Administrator provided feedback as requested. Rep. Gustafson's staff and the Administrator spoke via phone and the Administrator let the staff member know that he was happy to provide feedback and thoughts as needed but wanted to be clear that this was not an official legislative recommendation from the Commission and had not been considered by the Commission as such. The Administrator advised that, if the Representative wanted the support of the Commission, the draft should be presented to the Commission to review and consider whether to support. Rep. Gustafson's staff advised that they would like the support of the Commission and approved sharing the draft and discussing it in open session at this meeting.

Attached to this memo is a draft of the proposed bill for the Commission to consider whether to formally support. The bill allows the Ethics Commission, Elections Commission, State of Wisconsin Investment Board, and the two IT-related committees of the Legislature to convene in closed session to discuss information security matters and exempts the records from public disclosure. It also allows SWIB, the Elections Commission, and this Commission to share the records with the Joint Committee on Information Policy and Technology and the Joint Legislative Audit Committee while maintaining confidentiality. Finally, the draft bill allows the Joint Committee on Information Policy and Technology and the Joint Legislative Audit Committee to convene in closed session and to prepare appropriate summaries of IT security issues. This information is important to the Legislature's consideration of IT-related funding and policy.

Before proceeding with the legislation, Rep. Gustafson would like the Commission's support of this draft piece of legislation. The Commission can: support the legislation, oppose the legislation, or take other action consistent with today's discussion. If the Commission decides to support the legislation, it would be anticipated that the Administrator would testify in support of the legislation and continue to update the Commission as appropriate. It is important to note that the Administrator does not anticipate any fiscal impact on the Commission as a result of this legislation.

Attachment: Draft Legislation



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-3148/P3

JK:skw

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to amend** 19.851 (1); **to create** 13.53 (2m), 13.58 (5) (a) 6., 19.36 (17)
 2 and 19.85 (1) (i) of the statutes; **relating to:** meeting in closed session to
 3 consider information technology security issues.

Analysis by the Legislative Reference Bureau

Under current law, a governmental body is generally required to meet in open session. Open session is a meeting that is held in a place reasonably accessible to members of the public and open to all citizens at all times.

This bill allows the following entities to go into closed session for the purpose of considering information technology security issues affecting information technology systems over which the entities have jurisdiction or exercise responsibility:

1. The State of Wisconsin Investment Board.
2. The Ethics Commission.
3. The Elections Commission.
4. The Joint Committee on Information Policy and Technology.
5. The Joint Legislative Audit Committee.

The bill also prohibits public access to records regarding information technology security issues considered in closed session, as provided under the bill, except that the bill allows the custodians of such records to submit the records to the Joint Committee on Information Policy and Technology and the Joint Legislative Audit Committee for consideration in closed session. The bill also

BILL**SECTION 1**

requires the committees to periodically prepare and publish a summaries of information technology security issues considered by the committees in closed session. The committees must make sufficient alterations in the summaries to prevent disclosing confidential, proprietary, and other sensitive information.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 13.53 (2m) of the statutes is created to read:

2 13.53 **(2m)** INFORMATION TECHNOLOGY SECURITY. The committee shall
3 periodically prepare and publish a summary of the information technology security
4 issues considered by the committee in closed session under s. 19.85 (1) (i). The
5 committee shall make sufficient alterations in the summary to prevent disclosing
6 confidential, proprietary, and other sensitive information contained in records
7 described under s. 19.36 (17).

8 **SECTION 2.** 13.58 (5) (a) 6. of the statutes is created to read:

9 13.58 **(5)** (a) 6. Periodically prepare and publish a summary of the
10 information technology security issues considered by the committee in closed
11 session under s. 19.85 (1) (i). The committee shall make sufficient alterations in the
12 summary to prevent disclosing confidential, proprietary, and other sensitive
13 information contained in records described under s. 19.36 (17).

14 **SECTION 3.** 19.36 (17) of the statutes is created to read:

15 19.36 **(17)** RECORDS REGARDING INFORMATION TECHNOLOGY SECURITY. Unless
16 access is specifically authorized or required by statute, an authority shall not
17 provide access under s. 19.35 (1) to records regarding information technology
18 security issues that are considered in closed session under s. 19.85 (1) (i), except
19 that an authority may provide such records to the joint committee on information

BILL**SECTION 3**

1 policy and technology and the joint legislative audit committee for consideration
2 under s. 19.85 (1) (i).

3 **SECTION 4.** 19.85 (1) (i) of the statutes is created to read:

4 19.85 (1) (i) Consideration of information technology security issues affecting
5 information technology systems over which the investment board, ethics
6 commission, elections commission, joint committee on information policy and
7 technology, or joint legislative audit committee have jurisdiction or exercise
8 responsibility.

9 **SECTION 5.** 19.851 (1) of the statutes is amended to read:

10 19.851 (1) Prior to convening under this section or under s. 19.85 (1), the
11 ethics commission and the elections commission shall vote to convene in closed
12 session in the manner provided in s. 19.85 (1). The ethics commission shall identify
13 the specific reason or reasons under sub. (2) and s. 19.85 (1) (a) to ~~(h)~~ (i) for
14 convening in closed session. The elections commission shall identify the specific
15 reason or reasons under s. 19.85 (1) (a) to ~~(h)~~ (i) for convening in closed session. No
16 business may be conducted by the ethics commission or the elections commission at
17 any closed session under this section except that which relates to the purposes of
18 the session as authorized in this section or as authorized in s. 19.85 (1).

19 (END)



Wisconsin Ethics Commission

Campaign Finance | Lobbying | Ethics
101 E. Wilson Street | Suite 127 | P.O. Box 7125 | Madison, WI 53707-7125
(608) 266-8123 | ethics@wi.gov | <https://ethics.wi.gov>

DATE: For the Commission Meeting on August 5, 2025

TO: Members, Wisconsin Ethics Commission

FROM: Colette Greve, Assistant Administrator

SUBJECT: Consideration of Formal Opinion 2025 ETH 02 – Use of Campaign Funds for Computer and Cell Phone

FOR COMMISSION ACTION

For this agenda item, the Commission may:

1. Adopt the formal advisory opinion as drafted by staff;
2. Adopt a formal advisory opinion consistent with today's discussion; or
3. Decline to adopt the formal advisory opinion.

The Commission received a request for advice on whether a candidate may use campaign funds to purchase a computer and to pay for cell phone usage. The Commission reviewed the request at its meeting on May 25, 2025. At that meeting, the Commission requested staff draft a formal opinion, consistent with the informal advisory opinion sent to the requestor, for the Commission to review at its meeting on August 5, 2025.

Attachment: 2025 ETH 02 Draft and Request

2025 ETH 02**CAMPAIGN FINANCE - USE OF CAMPAIGN FUNDS FOR COMPUTER AND CELL PHONE**

You have requested an advisory opinion on whether it is permissible to purchase a desktop computer and pay for cell phone usage costs with campaign funds. You advised that you are no longer a candidate. However, you stated that you still use a computer to complete campaign finance reports. You also requested advice on using campaign funds for cell phone usage. You specifically asked if you could use campaign funds to pay for your cell phone usage that you use to assist in helping elect other candidates. You advised that for both the computer and phone, you anticipate the use would be a 50/50 split of campaign and personal use, with some dates being a much higher percentage for campaign-related work.

Summary

It is the opinion of the Commission that the costs for the purchase of a computer and cell phone usage would exist irrespective of the campaign activity and are strictly personal. As such, disbursements from your candidate committee account to purchase the computer and pay for cell phone data usage are prohibited under [WIS. STAT. § 11.1208\(2\)\(a\)](#). As an alternative to purchasing a computer and using a cell phone for mixed personal and campaign use, the Commission advises that you may pay for a computer and/or cell phone and its data plan with your candidate committee account funds only if the computer and cell phone will be used strictly for campaign purposes and there is no personal use of those devices.

AnalysisApplicable Law

You were a local candidate, with a registered candidate committee. Your candidate committee is still active. As such, you and your candidate committee are subject to Wisconsin campaign finance law. [WIS. STAT. § 11.0103\(1\)](#). The following are the relevant statutory provisions.

[WIS. STAT. § 11.0101\(10\)\(a\)](#)**(10)**

(a) "Disbursement" means any of the following:

1. An expenditure by a committee from the committee's depository account.
2. The transfer of tangible personal property or services by a committee.
3. A transfer of funds between committees

[WIS. STAT. § 11.1208\(2\)\(a\)](#)

(2) (a) Except as provided in pars. [\(b\)](#) and [\(c\)](#), a committee may not make a disbursement or incur an obligation for the committee's or an individual's strictly personal use.

This statute prohibits a committee from making a disbursement or incurring an obligation for the committee or individual's strictly personal use.

Application

As noted above, you are seeking advice on whether you can use campaign funds to purchase a desktop computer and pay for cell phone usage. You anticipate that your use of the computer and cell phone will be half for campaign purposes and half for personal use. The expenses of the desktop computer and cell phone usage would be disbursements from your committee account. [WIS. STAT. § 11.1208\(2\)\(a\)](#) prohibits a candidate committee from making a disbursement that is for an individual's strictly personal use. The intent of the prohibition on disbursements for strictly personal use is clear, a candidate should not be permitted to convert campaign contributions into his or her own personal funds.

The Commission has issued three opinions related to the use of campaign funds and whether expenses are strictly personal uses. In [2018 ETH 01](#), the Commission found that a candidate is permitted to use campaign funds for childcare expenses to the extent that such expenses would be incurred only as a direct result of campaign activity and would not otherwise exist. In an opinion related to vehicle repairs, the Commission advised that the expense of repair and/or replacement of a blown tire on a personal vehicle would exist irrespective of a campaign for the State Assembly. In these circumstances, the candidate would have needed to pay for the tire replacement or repair cost on her personal vehicle even if she was not a candidate and traveling for campaign purposes. As such, the expense was a strictly personal use of campaign funds and a prohibited disbursement of campaign funds under [WIS. STAT. § 11.1208\(2\)\(a\)](#). Finally, in [2025 ETH 01](#), the Commission advised that mileage reimbursement is not a strictly personal use, as campaign related travel can be tracked and that specific mileage can be attributed directly to campaign purposes.

In the Commission's previous opinions, where services or property are a mix of personal and campaign use, it found that a disbursement was not for strictly personal use where the expense can be attributed to specific time periods or miles traveled during which the individual was campaigning or engaging in activities related to the office that the official holds. However, in this case, that is not entirely possible. As noted above, you are not currently an official nor are you campaigning for office. However, you did indicate that you would be using the computer to file your reports and assist others in their campaign activities. You also indicated that you would be using the cell phone and computer for personal reasons about half of the time. As it relates to the computer, there is a one-time cost to purchase the computer. Therefore, the cost you would pay to purchase a new computer is more akin to the opinion concerning the blown tire than the other opinions. At present, there is not a specific amount of this cost that can be attributed to campaign activity. Moreover, while you are predicting use would be about half of the time, that is not certain to occur. The rationale of the mileage opinion does not apply here because mileage is known, identifiable, tracked activity that has occurred and, therefore, can specifically be attributed to campaign purposes. In this case, you would be incurring the cost without being able to demonstrate that the usage was, in fact, not strictly personal use.

As it relates to cell phone usage, you could track the time spent making phone calls, texting, or otherwise using data for campaign activity. However, it would be difficult to determine which costs are associated with campaign activity and which are for personal use. Cell phone carriers typically bill a flat monthly rate for calls, texts, and data usage. Those charges are not specifically itemized per call, text, or data used. This makes attributing these costs to campaign activity

impracticable, if not impossible. Therefore, as you will be using the computer and cell phone for personal use, the costs would exist even if you were not conducting campaign activity.

Conclusion

It is the opinion of the Commission that the costs for the purchase of a computer and cell phone usage would exist irrespective of the campaign activity and are strictly personal. As such, disbursements from your candidate committee account to purchase the computer and pay for cell phone data usage are prohibited. [WIS. STAT. § 11.1208\(2\)\(a\)](#). As an alternative to purchasing a computer and using a cell phone for mixed personal and campaign use, the Commission advises that you may pay for a computer and/or cell phone and its data plan with your candidate committee account funds only if the computer and cell phone will be used strictly for campaign purposes and not for any personal use.

From: [REDACTED]
To: [Greve, Colette - ETHICS](#)
Subject: Re: Opinion Request
Date: Tuesday, March 11, 2025 3:43:16 PM

**CAUTION: This email originated from outside the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Dear Ms. Greve,

Thank you for getting back to me. I would say for both purposes, the use of my phone and computer would be approximately a 50% split with certain calendar dates in campaigns a higher percentage. If you have any further questions, please feel free to ask me. Thank you for your consideration.

Sincerely,

[REDACTED]

On Monday, March 10, 2025 at 12:26:35 PM CDT, Greve, Colette - ETHICS <colette.greve@wisconsin.gov> wrote:

Dear [REDACTED]:

Thank you for your request for advice. The Commission does not have precedent on this. As such, the Commission will need to review it at the next regularly scheduled meeting on May 13, 2025.

To provide the most accurate advice, could you please explain further how the computer and cell phone will be utilized? How much of the use will be personal vs. use for campaign purposes?

Sincerely,

Colette C. Greve

Assistant Administrator

Wisconsin Ethics Commission

This email may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If you received this transmission in error, please immediately contact the sender and destroy the material in its entirety, whether in electronic or hard copy format.

From: [REDACTED]
Sent: Monday, February 24, 2025 11:29 AM
To: Campaign Finance <campaignfinance@wisconsin.gov>
Subject: Opinion Request

**CAUTION: This email originated from outside the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.**

February 24th, 2025

Dear Commissioners:

I am requesting an opinion as to whether or not it is permissible to purchase a desktop computer with my campaign funds? I am no longer a candidate for office, but still use my computer to complete my campaign finance report. In addition, am I able to use my campaign fund to pay for my cell phone usage that I use to assist in helping elect other candidates? Thank you in advance for your assistance.

Sincerely,

[REDACTED]



Wisconsin Ethics Commission

Campaign Finance | Lobbying | Ethics
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(608) 266-8123 | ethics@wi.gov | <https://ethics.wi.gov>

DATE: For the Commission Meeting on August 5, 2025
TO: Members, Wisconsin Ethics Commission
FROM: Cole Maberry, Ethics Specialist
SUBJECT: Proposed Update to Commission Policy – Administrative Suspension

FOR COMMISSION ACTION

For this staff request, the Commission may:

1. Adopt the proposed policies;
2. Request changes to the proposed policies; or
3. Take other action consistent with today's discussion.

Background

In its legislative recommendations for the 2023–2024 Legislative Session, the Commission included a recommendation for express statutory authority to administratively suspend non-compliant or non-responsive registrants. This recommendation was codified in [2023 Wisconsin Act 120](#), effective March 16, 2024. [WIS. STAT. § 11.1305\(2\)–\(5\)](#) provide:

(2)

(a) The commission may suspend any registrant for not complying with the requirements of this chapter. Prior to suspending the registrant, the commission shall make at least 3 attempts to notify the registrant of the potential violations. The commission shall send the final notice to the registrant by certified mail to the last address on file for the registrant, unless a more recent address is obtained from another government agency, a public record, or a reasonably diligent Internet search. If the final notice is returned undeliverable or the registrant does not respond within 30 days after the commission sends the notice, the commission may suspend the registrant and block the registrant's access to the campaign finance website for registration and reporting.

(b) If a registrant does not respond to a communication from the commission requiring a response from the registrant within 180 days of receipt of the communication, the commission may suspend the registrant for failing to timely respond. Prior to suspending the registrant, the commission shall make at least 3 attempts to notify the registrant of the potential violations. The commission shall send the final notice to the registrant by certified mail to the last address on file for the registrant, unless a more recent address is obtained from another government agency, a public record, or a reasonably diligent Internet search. If the final notice is returned undeliverable or the registrant does not respond within 30 days after the

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Administrator

Daniel A. Carlton, Jr.

commission sends the notice, the commission may suspend the registrant and block the registrant’s access to the campaign finance website for registration and reporting.

(3) The commission may not reinstate a registrant suspended as provided under sub. (2) until the registrant has communicated with the commission and has filed an amended registration statement that includes all the information that the commission requires.

(4) A registrant that is suspended as provided under sub. (2) may not file a termination report under s. [11.0105](#) until it is reinstated as provided under sub. (3).

(5) If a registrant is suspended as provided under sub. (2), the statute of limitations under s. [893.93 \(1m\)](#) for any potential violation committed within 3 years prior to the date of the suspension is tolled. The commission or a district attorney may commence an action to enforce such violations at any time during the 12-month period following the date of reinstatement.

In summary, the Commission can administratively suspend any registrant for failing to comply with Chapter 11 or for otherwise failing to respond within 180 days to notices from the Commission requiring a response. The Commission must first make at least three attempts to notify the registrant of the potential violations, the last of which must be made by certified mail. If the registrant fails to respond to the final notice within 30 days, the Commission may place the registrant under administrative suspension. A registrant under administrative suspension may not use the campaign finance website for reporting or registration, nor can the registrant terminate. A committee can only be re-activated upon communicating with the Commission and amending the registration statement as required. Lastly, when a registrant is administratively suspended, the statute of limitations is tolled for any potential violation committed in the three years prior to suspension.¹ Enforcement action can be taken as appropriate within twelve months of reinstatement.

Existing Commission Policy

At its meeting on December 5, 2017, the Commission adopted the attached policy on administrative suspension. Pursuant to [WIS. STAT. § 19.47\(9\)\(a\)](#), this policy has been readopted annually and included as Appendix K of the Commission’s annual report. In summary, the current policy provides that a registrant may be placed under administrative suspension for violating any provision of Chapter 11 or Subchapter III of Chapter 13 and failing to respond within six months to Commission communications regarding the violation, if further communication attempts are expected to be futile and staff have made reasonable efforts to find alternative contact information.² The policy instructs Commission staff to document contact attempts prior to administratively suspending the registrant and to report to the Commission any registrants placed on administrative suspension.³

Because the Commission did not have explicit statutory authority for administrative suspension, the policy provides that administrative suspension has no impact on the effectiveness of the

¹ [WIS. STAT. § 11.1305\(5\)](#) references the statute of limitations under [WIS. STAT. § 893.93\(1m\)](#). Staff believe that the correct citation is [WIS. STAT. § 893.90\(2\)](#). Regardless, both statutes identically provide that action “shall be commenced within 3 years after the cause of action accrues or be barred.”

² The policy applies to committees, conduits, and lobbying principals.

³ The policy allows staff to place a registrant on suspension provided the requirements have been met. In practice, however, staff have always first presented the non-compliant registrant to the Commission so that the Commission can determine whether to administratively suspend the registrant.

registration or the rights of the registrant. Administrative suspension under the policy likewise does not exempt the registrant from any reporting or other requirements under state law. If a registrant under administrative suspension later wanted to return to active status, staff would present the registrant to the Commission to determine whether to pursue enforcement action for any violations accrued within the statute of limitations, which is not tolled. While on administrative suspension, staff would continue to document new potential violations, but staff would not need to contact the registrant or present potential violations to the Commission for enforcement action. Cf. [WIS. STAT. § 11.1304\(10\)](#).

Considerations

1. Background

Now that the Commission has express statutory authority to administratively suspend registrants, the Commission can update this policy accordingly. Pursuant to [WIS. STAT. § 19.47\(9\)\(b\)](#), the Commission can reconsider a policy at any time. Staff's proposed changes are attached as Attachments B and C. Attachment B is a proposed revised version of Appendix K, covering administrative suspension of registrants under Chapter 11 pursuant to [WIS. STAT. § 11.1305\(2\)–\(5\)](#). The current administrative suspension policy covers lobbying principals in addition to campaign finance committees and conduits.⁴ As such, a proposed amended policy, which will be included as Appendix N to the next annual report⁵, is included as Attachment C. Text that has been removed from the existing policy has been struck through, and text that has been added is underlined. This policy on administrative suspension of lobbying principals, other than removing references to campaign finance registrants and Chapter 11, is identical to the existing Commission policy. If adopted, these changes will be reported to the appropriate standing committees of the legislature pursuant to WIS. STAT. §§ [13.172\(3\)](#) and [19.47\(9\)\(b\)](#).

The Commission's standard practice for settlements is as follows. After identifying a registrant in an audit, the Commission issues, where applicable, a settlement in accordance with the standard settlement schedule in [WIS. ADMIN. CODE § ETH 26.02](#). The settlement offer is initially sent via email. If the matter is not promptly resolved, staff follow a set schedule of follow-ups via email, phone, mail, and certified mail. If the registrant does not respond, or notices are returned undeliverable, staff attempt to locate alternative contact information and send new notices if alternative contact information is found. If the settlement is still not executed, staff then request authorization from the Commission to pursue litigation pursuant to [WIS. STAT. § 19.49\(1\)\(b\)](#). Prior to filing litigation, staff counsel attempts at least one more communication via certified mail. Once litigation is filed, service is attempted pursuant to [Chapter 801](#). If the registrant does not respond in court, the court will typically issue a default judgment against the registrant.

2. Registrants Against Whom a Default Judgment Has Been Docketed

[WIS. STAT. § 11.1305\(2\)](#) allows the Commission, after making the requisite communication attempts, to suspend any registrant for failing to comply or failing to respond. Under the above settlement follow-up process, the Commission could administratively suspend the registrant 30 days after the first certified mail attempt. However, the Commission may not want to immediately

⁴ In practice, because lobbying principals' registrations expire at the end of every legislative session, the Commission has never placed a principal on administrative suspension.

⁵ The next annual report is due October 15, 2025.

exercise this authority. Commission staff believe that it is still appropriate to maintain the above settlement process, rather than simply placing a registrant under administrative suspension. However, by the time a default judgment has been issued against a registrant, staff deem it unlikely that further attempts to bring the registrant into compliance will bear fruit. As such, the draft policy, provides for Commission staff to automatically administratively suspend registrants if the Commission has received a default judgment against the registrant and the requirements of [WIS. STAT. § 11.1305\(2\)](#) have been satisfied.⁶ Staff will update the Commission at its next meeting regarding any registrants placed under administrative suspension under this process.

3. Other Registrants

The draft policy also allows for staff to present to the Commission any other registrant which staff think merits administrative suspension, either for failing to comply with Chapter 11 or failing to respond within 180 days to a communication from the Commission requiring a response. If the Commission agrees, staff will then administratively suspend the registrant pursuant to the appropriate statutory process.

4. Other Considerations

The draft policy reiterates that a suspended registrant may not terminate until reinstated. It also directs staff to present to the Commission any registrant which wishes to be reactivated. Lastly, the draft policy also reiterates that the statute of limitations is tolled pursuant to [WIS. STAT. § 11.1305\(5\)](#) while a registrant is under administrative suspension, and that any action for violations with a tolled statute of limitations must be brought within 12 months of the date of reinstatement.

Conclusion

If the Commission approves the policies as drafted, the new policies will be reported to the appropriate standing committees of the Legislature pursuant to WIS. STATS. §§ [13.172\(3\)](#) and [19.47\(9\)\(b\)](#) and included in the Commission's next annual report. Alternatively, the Commission can direct staff to first make changes. If necessary, staff will bring back the policies for further review at the next Commission meeting.

Attachments:

Attachment A: Appendix K: Administrative Suspension of Registrants

Attachment B: Proposed Revision to Appendix K: Administrative Suspension of Committees and Conduits

Attachment C: Proposed Appendix N: Administrative Suspension of Lobbying Principals

⁶ In nearly all cases, staff will meet the requirements of [WIS. STAT. § 11.1305\(2\)](#) during the settlement and litigation process. If necessary, staff will make further communications to comply with the statute prior to administratively suspending the registrant.

Appendix K: Administrative Suspension of Registrants

The Ethics Commission is required by WIS. STAT. § 19.47(9)(a) to report adopted policies to the appropriate standing committees of the Legislature under WIS. STAT. § 13.172(3). At its December 5, 2017, meeting, the Ethics Commission unanimously adopted the following to establish internal policies and procedures for placing registrants (e.g., campaign committees and lobbying principals) on an administrative suspension status in order to minimize the requirements of staff to continually attempt to contact non-responsive registrants. Nothing in this policy affects the registration effectiveness or rights of any registrant.

Administration Suspension Policy

It is the policy of the Ethics Commission to place on administrative suspension any registrant who violates any provision of Chapter 11 or subchapter III of Chapter 13, who fails to subsequently respond to Commission communications regarding that violation, and where further attempts to contact the registrant are reasonably expected to be futile. Commission staff shall make reasonable efforts to find new contact information by consulting available data sources before placing a registrant on administrative suspension.

If Commission staff has been unsuccessful in contacting a registrant over a period of at least six consecutive months, staff need not continue to send a notice to the registrant regarding any violations that may continue to occur while on administrative suspension. Commission staff shall document any such violations by a registrant but need not include such registrants in their regular audits and subsequent reports to the Commission. This policy does not relieve a registrant of the duty to file reports when due or other obligations under state law.

If a registrant who is placed on administrative suspension subsequently is located by Commission staff, or contacts Commission staff to return the registrant to active status, the registrant may be returned to active status if requested, but the Commission shall be notified at its next meeting so as to consider taking appropriate action on any violations that may have accrued by the registrant while on administrative suspension.

Commission staff shall maintain a list of methods of contact to utilize before placing a registrant on administrative suspension and document all attempts to contact a registrant regarding placing them on administrative suspension. Commission staff shall report to the Commission at the next regular meeting any registrants placed on administrative suspension since the last report.

Appendix K: Administrative Suspension of Campaign Finance Registrants

The Ethics Commission is required by [WIS. STAT. § 19.47\(9\)\(a\)](#) to report adopted policies to the appropriate standing committees of the Legislature under [WIS. STAT. § 13.172\(3\)](#). During the 2023 Legislative Session, the Commission advocated for statutory authority to administratively terminate and suspend certain registrants. The purpose of this recommendation was to address administrative problems with non-responsive registrants. For more information about this recommendation, please see the Commission's 2023 Annual Agency Report. The recommendation became law in 2023 Wisconsin Act 120. It is now codified in [WIS. STAT. § 11.1305](#). At its meeting on August 5, 2025, the Ethics Commission adopted the following to establish internal policies and procedures for placing campaign finance registrants (*i.e.*, committees and conduits) on an administrative suspension status in order to minimize the requirements of staff to continually attempt to contact non-responsive registrants. This policy details how the Commission will exercise its authority under [WIS. STAT. § 11.1305\(2\)–\(5\)](#).

Administration Suspension Policy

The Commission may administratively suspend any registrant, provided that the requirements of [WIS. STAT. § 11.1305\(2\)](#) have been satisfied. Commission staff shall document all relevant communication attempts. Furthermore, Commission staff shall make reasonable efforts to find new contact information by consulting available data sources before placing a registrant on administrative suspension.

It is the policy of the Ethics Commission to place on administrative suspension as a matter of course any registrant who violates any provision of Chapter 11, whom the Commission has sued pursuant to [WIS. STAT. § 19.49\(1\)\(b\)](#), and against whom a default judgment has been rendered pursuant to [WIS. STAT. § 806.02](#). Commission staff shall report to the Commission at the next regular meeting any registrants placed under administrative suspension under this policy. Furthermore, if any other registrant has violated any provision of Chapter 11, Commission staff may present that registrant to the Commission if staff believe the matter merits administrative suspension. The Commission may then administratively suspend the registrant pursuant to [WIS. STAT. § 11.1305\(2\)\(a\)](#).

Similarly, if any other registrant has failed to respond within 180 days to a communication from the Commission requiring a response, Commission staff may present that registrant to the Commission. The Commission may then administratively suspend the registrant pursuant to [WIS. STAT. § 11.1305\(2\)\(b\)](#).

While under administrative suspension, the statute of limitations for any potential violations committed in the three years prior to the date of suspension is tolled pursuant to [WIS. STAT. § 11.1305\(5\)](#). If a registrant under administrative suspension later resumes contact with the Commission, staff shall present the registrant to the Commission. The Commission may then reinstate the registrant and may pursue enforcement action for any potential violations committed

before or after the date of administrative suspension. Enforcement action on any potential violations with a tolled statute of limitations must be brought within 12 months of reinstatement. An administratively suspended registrant may only be reinstated as provided by [WIS. STAT. § 11.1305\(3\)](#). An administratively suspended registrant may not file a termination report under [WIS. STAT. § 11.0105\(1\)\(a\)](#).

Appendix N: Administrative Suspension of Lobbying Principals

The Ethics Commission is required by WIS. STAT. § 19.47(9)(a) to report adopted policies to the appropriate standing committees of the Legislature under WIS. STAT. § 13.172(3). At its meeting on August 5, 2025, the Ethics Commission adopted the following to establish internal policies and procedures for placing ~~registrants (e.g., campaign committees and lobbying principals)~~ lobbying principals on an administrative suspension status in order to minimize the requirements of staff to continually attempt to contact non-responsive ~~registrants~~ principals. Nothing in this policy affects the registration effectiveness or rights of any ~~registrant~~ principal.

Administration Suspension Policy

It is the policy of the Ethics Commission to place on administrative suspension any ~~registrant~~ principal who violates any provision of ~~Chapter 11 or~~ subchapter III of Chapter 13, who fails to subsequently respond to Commission communications regarding that violation, and where further attempts to contact the ~~registrant~~ principal are reasonably expected to be futile. Commission staff shall make reasonable efforts to find new contact information by consulting available data sources before placing a ~~registrant~~ principal on administrative suspension.

If Commission staff has been unsuccessful in contacting a ~~registrant~~ principal over a period of at least six consecutive months, staff need not continue to send a notice to the ~~registrant~~ principal regarding any violations that may continue to occur while on administrative suspension. Commission staff shall document any such violations by a ~~registrant~~ principal but need not include such ~~registrant~~ principal in their regular audits and subsequent reports to the Commission. This policy does not relieve a ~~registrant~~ principal of the duty to file reports when due or other obligations under state law.

If a ~~registrant~~ principal who is placed on administrative suspension subsequently is located by Commission staff, or contacts Commission staff to return the ~~registrant~~ principal to active status, the ~~registrant~~ principal may be returned to active status if requested, but the Commission shall be notified at its next meeting so as to consider taking appropriate action on any violations that may have accrued by the ~~registrant~~ principal while on administrative suspension.

Commission staff shall maintain a list of methods of contact to utilize before placing a ~~registrant~~ principal on administrative suspension and document all attempts to contact a ~~registrant~~ principal regarding placing them on administrative suspension. Commission staff shall report to the Commission at the next regular meeting any ~~registrants~~ principals placed on administrative suspension since the last report.



Wisconsin Ethics Commission

Campaign Finance | Lobbying | Ethics
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(608) 266-8123 | ethics@wi.gov | <https://ethics.wi.gov>

DATE: For the Commission Meeting on August 5, 2025

TO: Members, Wisconsin Ethics Commission

FROM: Ethics Commission Staff

SUBJECT: Ethics Commission Staff Report

Commission Administration

2025-27 Biennial Budget

In early July, the Governor signed the 2025-27 Biennial Budget into law. As the Commission is aware, the Legislature delayed the effective date of the law requiring all local committees to begin registering and reporting with the Commission on July 1, 2025. The new effective date is December 2027. As a result, the Commission's budget needs were substantially different than the Commission's request that was submitted in September 2024. The Administrator worked with the appropriate individuals to provide an update on what was needed before the Joint Finance Committee met to consider the Commission's request. The updated request consisted of funds for the new campaign finance website, sufficient funding to promote the entry Ethics Specialists as appropriate this biennium, a much-needed additional attorney position, reduced request for funds to relocate if the Commission was provided the additional attorney position, and replacement of computer monitors, the copier, and other office equipment/software.

As was the case with many agencies, the Commission did not receive the much-needed additional attorney position or the concomitant costs of relocating. However, it was provided the other things that were requested. The Administrator is considering next steps related to the attorney position needed and plans to present the subject for further discussion at the October meeting.

Training

Staff Counsel Buerger presented an ethics training to new and continuing board members of the Department of Safety and Professional Services on May 16th. He also conducted a joint presentation with the Wisconsin Elections Commission as part of the UW-Green Bay Clerks and Treasurers Institute on July 14th. There were over 120 municipal clerks in attendance at this session. Staff Counsel Buerger is also scheduled to conduct an ethics training for the State of Wisconsin Investment Board on September 10th.

Campaign Finance

All registered committees not claiming exemption, as well as any 2025 candidates that did claim exemption, were required to file the 2025 July Continuing report. This report was due July 15, 2025. A total of 1,064 committees were required to file. We currently have 995 committees that

Wisconsin Ethics Commissioners

Paul Higginbotham | Debra Kolste | Gerald Ptacek | Pat Strachota | Maryann Sumi | Andrew Weinger

Administrator

Daniel A. Carlton, Jr.

have filed (93.5%), with 69 still outstanding (6.5%). Staff has sent two reminders since the filing deadline and will continue to reach out to committees that have not yet filed. Staff will be sending settlements to all committees that failed to file on time. This would include warnings to those filing by August 15, 2025, and monetary settlements, in accordance with the standard settlement schedule, for those filing after that date.

The next report is not due until January 15, 2026. As discussed in an earlier agenda item, we will be converting to the new campaign finance website later this month. We will be providing a number of training sessions for existing committees. We will be recording these sessions and posting them on the website for those who were not able to attend to view at a later date.

Lobbying

2025–2026 Legislative Session

The January–June 2025 Statement of Lobbying Activity and Expenditures (“SLAE”) is due on July 31, 2025, for 641 lobbyists and 814 principals. As of July 25, 2025, 219 SLAEs had been filed, and 1,102 out of 1,827 lobbyist time reports had been submitted.

Code of Ethics and Financial Disclosure

Statements of Economic Interests (“SEIs”)

The annual SEI for approximately 2,015 officials required to file was due on April 30, 2025. All but 84 officials filed on time. As of July 25, 2025, all but 5 SEIs have been filed.

State of Wisconsin Investment Board Quarterly Reports

The SWIB Quarterly Report for the second quarter of 2025, which covers from April to June, is due on July 31, 2025. As of July 25, 2025, 42 out of 55 officials had filed.