

# NOTICE OF OPEN AND CLOSED MEETING

## Wisconsin Ethics Commission

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

Tuesday, October 15, 2024, 9:00 a.m.

### Open Session Agenda

- |                                                         |         |
|---------------------------------------------------------|---------|
| A. Call to Order                                        |         |
| B. Report of Appropriate Meeting Notice – Administrator |         |
| C. Approval of Minutes of Prior Meetings                |         |
| 1. Open Session Minutes for Meeting on May 14, 2024     | Page 3  |
| 2. Open Session Minutes for Meeting on July 23, 2024    | Page 7  |
| 3. Open Session Minutes for Meeting on August 28, 2024  | Page 11 |
| D. Personal Appearances                                 |         |
| E. New Campaign Finance System Update                   | Verbal  |
| F. Supplemental Appropriation Request                   | Page 13 |
| G. Staff Report                                         | Page 17 |
| H. Consideration of Future Agenda Items                 | Verbal  |
| I. Closed Session                                       |         |
| 1. Requests for Advice                                  |         |
| 2. Complaints and Investigations                        |         |
| 3. Legal Advice Regarding Potential Litigation          |         |
| 4. Personnel Matters                                    |         |
| 5. Adjourn                                              |         |

#### Future Ethics Commission Meetings Scheduled:

- Tuesday, December 17, 2024, at 9:00 AM
- Tuesday, February 5, 2025, at 9:00 AM
- Tuesday, May 13, 2025, at 9:00 AM
- Tuesday, August 5, 2025, at 9:00 AM
- Tuesday, October 21, 2025, at 9:00 AM
- 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), (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 intends to adjourn in closed session after completion of the closed session agenda.*

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:

(c) Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

(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

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## Wisconsin Ethics Commission

101 East Wilson Street, St. Croix Room  
Madison, Wisconsin  
May 14, 2024, 9:00 a.m.

### Open Session Minutes

Present: Pat Strachota, Maryann Sumi (Virtual/ Teams), Andrew D. Weininger, Carousel Bayrd, Paul Higginbotham (Virtual/ Teams) and Gerald Ptacek.

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

#### A. Call to Order

Commission Chair Pat Strachota called the meeting to order at 9:03 a.m. A quorum was present.

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

Administrator Daniel Carlton notified the Commission an 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 12, 2023**
2. **Open Session Minutes for Meeting on February 12, 2024**
3. **Open Session Minutes for Meeting on February 20, 2024**
4. **Open Session Minutes for Meeting on March 22, 2024**
5. **Open Session Minutes for Meeting on April 10, 2024**

**MOTION:** To approve each set of minutes. Moved by Commissioner Weininger, seconded by Vice Chair Sumi. 5-0 Motion carried unanimously.

#### D. Personal Appearances

There were no personal appearances.

#### E. Introduction of New Commissioner.

Commissioner Paul Higginbotham introduced himself to the Commission, staff, and the public.

*Commissioner Ptacek joined the meeting in person.*

**F. Election of Chair and Vice Chair to serve beginning July 1, 2024.**

**MOTION:** Vice Chair Sumi to serve as Chair from 7/1/2024 – 6/30/2026. Moved by Chair Strachota, seconded by Commissioner Bayrd. Motion carried unanimously.

**MOTION:** Commissioner Weininger to serve as Vice Chair from 7/1/2024 – 6/30/2026. Moved by Chair Strachota, seconded by Commissioner Ptacek. Motion carried unanimously.

**G. Ethics Commission Staff Report**

Administrator Daniel Carlton presented the Staff Report on page 13 of the meeting materials.

No action taken.

**H. Closed Session**

- 1. Requests for Advice**
- 2. Complaints and Investigations and Audits.**
- 3. Legal Advice regarding potential litigation.**
- 4. Personnel Matters**

**MOTION:** To go into closed session for the purposes of discussing requests for advice, complaints, investigations and audits, legal advice regarding potential litigation and personnel matters. Moved by Commissioner Ptacek seconded by Vice Chair Sumi. 6-0 Motion carried unanimously.

**I. Referral of Probable Cause Findings to Contiguous District Attorneys.**

Staff Counsel Buerger explained that the Commission received a letter from the Waukesha County District Attorney declining prosecution of Janel Brandtjen on April 22, 2024. Pursuant to Wis. STAT. § 19.49(2)(b)13., if a district attorney declines to prosecute a matter referred by the Commission, the Commission may then choose to refer the matter to another district attorney. If there is more than one prosecutorial unit contiguous to the prosecutorial unit of the original referral, the Chairperson of the Commission shall determine the district attorney to whom the matter shall be referred by publicly drawing lots at a meeting of the Commission.

**Lots drawn for:**

**1. Probable Cause Findings Previously Referred to Waukesha County**

Contiguous Counties – Dodge, Jefferson, Milwaukee, Racine, Walworth, Ozaukee and Washington Counties.

Chair Strachota confirmed that lots were present for each contiguous county. The lots were placed in a bowl, mixed, and then Chair Strachota drew Washington County's lot.

**J. Adjourn**

**MOTION:** To adjourn the meeting. Moved by Commissioner Weininger, seconded by Commissioner Ptacek. 6-0 Motion carried unanimously. The meeting was adjourned at 4:06 P.M.

May 14, 2024, Wisconsin Ethics Commission meeting minutes prepared by:

\_\_\_\_\_  
Sathya Sivaji, Office Management Specialist                      October 15, 2024

May 14, 2024, Wisconsin Ethics Commission meeting minutes certified by:

\_\_\_\_\_  
MaryAnn Sumi, Vice Chair                                              October 15, 2024





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## Wisconsin Ethics Commission

101 East Wilson Street, St. Croix Room  
Madison, Wisconsin  
July 23, 2024, 9:00 a.m.

### Open Session Minutes

Present: Paul Higginbotham, Gerald Ptacek, Pat Strachota, Maryann Sumi, Andrew Weininger

Staff Present: Richard Bohringer, David Buerger, Dan Carlton, Colette Greve, Thomas Jackson, Coleman Maberry, Chloe Ruppel

#### A. Call to Order

Chairperson Sumi called the meeting to order at 9:07 a.m. A quorum was present.

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

Administrator Carlton reported that appropriate meeting notice had been provided to the public and news media.

#### C. 2025 Commission Meeting Schedule

Administrator Carlton presented the memo beginning on page 3 of the meeting materials.

**MOTION:** To adopt the following meeting schedule for 2025:

Commission Meeting Date	Materials Deadline
February 25, 2025	February 12, 2025
May 13, 2025	May 1, 2025
August 5, 2025	July 22, 2025
October 21, 2025	October 8, 2025
December 16, 2025	December 3, 2025

Moved by Commissioner Strachota. Seconded by Commissioner Ptacek.

		Maryann Sumi	Yes
Paul Higginbotham	Yes	Pat Strachota	Yes
Gerald Ptacek	Yes	Andrew Weininger	Yes

Motion carried unanimously.

**D. New Campaign Finance System Project Update**

Administrator Carlton presented a brief verbal update on the Commission’s new campaign finance system project.

Commissioner Bayrd arrived at 9:25 a.m.

**MOTION:** To authorize the Administrator in consultation with the Chair and Vice Chair to waive the cloud brokerage review requirement.

Moved by Commissioner Ptacek. Seconded by Commissioner Higginbotham.

Carousel Bayrd	Yes	Maryann Sumi	Yes
Paul Higginbotham	Yes	Pat Strachota	Yes
Gerald Ptacek	Yes	Andrew Weininger	Yes

Motion carried unanimously.

**E. 2025-2027 Biennial Budget Request**

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

Consensus to hold a special meeting to address the specifics of the budget request closer to the September deadline.

**MOTION:** To adopt Decision Item #1.

Moved by Commissioner Ptacek. Seconded by Commissioner Higginbotham.

Discussion.

**AMENDED MOTION:** To approve Decision Item #1 except for the parts regarding the number of new ethics specialists and the office space needs for additional staff until further data is developed.

Moved by Commissioner Ptacek. Seconded by Commissioner Higginbotham.

Discussion.

Carousel Bayrd	Yes	Maryann Sumi	Yes
Paul Higginbotham	Yes	Pat Strachota	Yes
Gerald Ptacek	Yes	Andrew Weininger	Yes

Motion carried unanimously.

**MOTION:** To adopt Decision Item #2.



Moved by Commissioner Higginbotham. Seconded by Commissioner Weininger.

Discussion.

Carousel Bayrd	Yes	Maryann Sumi	Yes
Paul Higginbotham	Yes	Pat Strachota	Yes
Gerald Ptacek	Yes	Andrew Weininger	Yes

Motion carried unanimously.

**MOTION:** To adopt Decision Item #3.

Moved by Commissioner Strachota. Seconded by Commissioner Ptacek.

Discussion.

Carousel Bayrd	Yes	Maryann Sumi	Yes
Paul Higginbotham	Yes	Pat Strachota	Yes
Gerald Ptacek	Yes	Andrew Weininger	Yes

Motion carried unanimously.

**MOTION:** To adopt Decision Item #4.

Moved by Commissioner Ptacek. Seconded by Commissioner Weininger.

Discussion.

Carousel Bayrd	Yes	Maryann Sumi	Yes
Paul Higginbotham	Yes	Pat Strachota	Yes
Gerald Ptacek	Yes	Andrew Weininger	Yes

Motion carried unanimously.

**MOTION:** To adopt Decision Item #5.

Moved by Commissioner Bayrd. Seconded by Commissioner Higginbotham.

Discussion.

Carousel Bayrd	Yes	Maryann Sumi	Yes
Paul Higginbotham	Yes	Pat Strachota	Yes
Gerald Ptacek	Yes	Andrew Weininger	Yes

Motion carried unanimously.

Discussion of special meeting dates for finalizing the budget request. Consensus to hold the special meeting on August 28<sup>th</sup> at 9:00 a.m.

**F. Staff Report**

Administrator Carlton presented the Staff Report beginning on page 47 of the meeting materials.

**G. Closed Session**

- 1. Requests for Advice
- 2. Complaints, Investigations, and Audits
- 3. Legal Advice Regarding Potential Litigation
- 4. Personnel Matters
- 5. Adjourn

**MOTION:** To convene in closed session for the purposes of considering requests for advice; complaints, investigations, and audits; legal advice regarding potential litigation; and personnel matters.

Moved by Commissioner Higginbotham. Seconded by Commissioner Ptacek.

Carousel Bayrd	Yes	Maryann Sumi	Yes
Paul Higginbotham	Yes	Pat Strachota	Yes
Gerald Ptacek	Yes	Andrew Weininger	Yes

Motion carried unanimously.

July 23, 2024, Wisconsin Ethics Commission meeting minutes prepared by:

\_\_\_\_\_  
David Buerger, Staff Counsel

October 15, 2024

July 23, 2024, Wisconsin Ethics Commission meeting minutes certified by:

\_\_\_\_\_  
Andrew Weininger, Vice Chair

October 15, 2024



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## Wisconsin Ethics Commission

101 East Wilson Street, St. Croix Room  
Madison, Wisconsin  
August 28, 2024, 9:00 a.m.

### Open Session Minutes

Present: Pat Strachota, Maryann Sumi (Virtual/ Teams), Andrew D. Weininger, Carousel Bayrd, Paul Higginbotham (Virtual/ Teams).

Staff Present: Daniel Carlton, Colette Greve, David Buerger, Sathya Sivaji

#### A. Call to Order

Commission Chair Maryann Sumi called the meeting to order at 9:07 a.m. A quorum was present.

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

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

#### C. Approval of 2024 Annual Report

Administrator Daniel Carlton presented the memo on page 3 of the meeting materials.

##### 1. Readopt the policies contained in the draft annual report.

**MOTION:** To approve the policies contained in the draft annual report. Moved by Vice Chair Weininger, seconded by Commissioner Higginbotham. 5-0 Motion carried unanimously.

##### 2. To approve the 2024 Annual Agency Report as drafted or suggest revisions and authorize staff to file the report once amended.

**MOTION:** To approve amended annual report with adjusted goal as footnote. Moved by Commissioner Higginbotham, seconded by Vice Chair Weininger. 5-0 Motion carried unanimously.

**MOTION:** To look authorize Administrator to review past 5 years performance averages and amend future goal in draft consistent with that average. Moved by Vice Chair Weininger, seconded by Commissioner Strachota. 5-0 Motion carried unanimously.

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*Wisconsin Ethics Commissioners*

Carousel Bayrd | Maryann Sumi | Pat Strachota | Paul Higginbotham | Gerald Ptacek | Andrew Weininger

*Administrator*

Daniel A. Carlton, Jr.

**D. 2025-2027 Biennial Budget Request**

Administrator Daniel Carlton presented the memo on page 75 of the meeting materials.

**1. Act 201 Exercise.**

**MOTION:** To approve Act 201 Exercise. Moved by Commissioner Bayrd, seconded by Vice Chair Higginbotham. 5-0 Motion carried unanimously.

**2. Additional Ethics Specialists Needed.**

**MOTION:** To approve and confirm 13 Entry Ethics Specialists. Moved by Commissioner Higginbotham, seconded by Vice Chair Weininger. 5-0 Motion carried unanimously.

**E. Closed Session**

**1. Personnel Matters**

**MOTION:** To go into closed session for the purposes of discussing personnel matters. Moved by Vice Chair Weininger seconded by Commissioner Strachota. 5-0 Motion carried unanimously.

**F. Adjourn**

**MOTION:** To adjourn the meeting. Moved by Vice Chair Weininger, seconded by Commissioner Bayrd. 5-0 Motion carried unanimously. The meeting was adjourned at 10:14 A.M.

August 28, 2024, Wisconsin Ethics Commission meeting minutes prepared by:

\_\_\_\_\_  
Sathya Sivaji, Office Management Specialist                      October 15, 2024

August 28, 2024, Wisconsin Ethics Commission meeting minutes certified by:

\_\_\_\_\_  
Andrew Weininger, Vice Chair                                              October 15, 2024



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**DATE:** For the Commission Meeting on October 15, 2024

**TO:** Members, Wisconsin Ethics Commission

**FROM:** Daniel A. Carlton, Jr., Administrator

**SUBJECT:** Supplemental Appropriation Request Pursuant to WIS. STAT. § 13.10

## FOR COMMISSION ACTION

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

1. Direct the Administrator to submit the supplemental request as described herein;
2. Modify the supplemental request consistent with today's discussion and submit the supplemental request; or
3. Take other action consistent with today's discussion.

Last March, 2023 Wisconsin Act 126 became law. The Act requires all local committees to register and report with the Wisconsin Ethics Commission beginning July 1, 2025. As noted in the previous memoranda presented to the Commission, it appears clear that the public would benefit significantly from this change. The Commission has observed that the law is being inconsistently administered at the local level. There is significant confusion about the legal requirements and how to comply with them. Further, by reporting online with the Commission, there will be one central repository for the public to learn about campaign financing at every level of government in Wisconsin.

As a result of the Act, the Commission will assume responsibility for work currently being performed by the 2,345 local filing officers across the state and their staffs. As a result, the Commission will be responsible for providing training for, and assistance to, between 30,000 and 67,000 new committees. In addition to accepting registration, filing reports, and providing this assistance, the Commission is expected to administer the laws for those additional committees. This includes auditing the reports as the Commission currently does for its registrants. The Commission anticipates more than 24,000 hours of additional work. The Commission's current 8 FTE employees and 2 IT contractors are insufficient to handle such a massive increase in the workload. To properly implement and administer the campaign finance laws as result of the Act, the Commission needs more resources.

At its meetings on July 23, 2024, and August 28, 2024, the Commission carefully considered the impact of the legislation in the formation of the 2025-27 Biennial Budget Request submission. After those meetings, the Commission decided to request funding for equipment, office space, and the following additional positions:

*Wisconsin Ethics Commissioners*

Carousel Bayrd | Paul Higginbotham | Gerald Ptacek | Pat Strachota | Maryann Sumi | Andrew Weininger

*Administrator*

Daniel A. Carlton, Jr.

- Three Permanent Attorney Positions- One Supervising Attorney and two additional attorney positions;
- Two Full-Time Trainers- 1 Permanent Position and 1 Project Position;
- 13 Additional Permanent Ethics Specialists; and
- One additional Permanent Office Management Specialist.

As noted above, the Commission has a very small staff. Unlike other agencies, the Commission does not have any vacant positions available. The Commission cannot hire the needed positions until approved by the Legislature. Further, the State's recruitment process is time consuming and requires the involvement of multiple staff. Typically, 3 employees are used to screen and score resumes to determine whether the applicants advance to the interview stage of the recruitment process. Then, 3 different employees conduct the interviews. This requires 6 different members of the Commission's staff to complete a recruitment. As noted, the Commission only has 8 employees.

To provide a concrete example, the Commission recently recruited for one position that will be filled in the coming weeks. The process began on July 17<sup>th</sup>. There was approximately one week's worth of work to get the position posting approved. The posting was up for two weeks. Three staff members spent most of a workweek screening and scoring applications. Then, three other staff members spent approximately 40 hours preparing for and conducting interviews. Finally, the staff members spent additional hours to decide who the successful candidate was. The Administrator spent a significant amount of time after completing the necessary paperwork to get approval to offer the position and the specific salary to be offered, and to communicate the offer to the candidate. We hope the successful candidate will be able to start work on October 21, 2024. If so, the process will have taken more than 3 months from beginning to end.

The 2025-27 Biennial Budget will not be passed and signed into law until late June 2025 at the earliest. If the Commission waits until the budget is passed and in effect, it would not be able to hire the required positions to begin administering the campaign finance laws for local committees until December or later. This will cause significant problems for local candidates that are competing in the 2026 local elections. The bulk of those candidates will begin filing their committee registration statements as early as November 2025. There simply would not be enough time to get staff onboard in time to provide meaningful assistance to the new registrants.

To staff up for the July 1, 2025, effective date, the Commission needs to begin staffing up as soon as possible. The Commission discussed this at its meeting on August 28, 2024, and instructed staff to present a plan that would allow the Commission to get the necessary staff positions and be ready for implementation on July 1, 2025. To accomplish this goal, the Commission will need to make a supplemental appropriation request pursuant to WIS. STAT. § 13.10.

### **Request and Staffing Plan**

The Joint Committee on Finance must approve a supplemental appropriation request. Typically, the Joint Committee on Finance meets quarterly. As it is an election year, the next quarterly meeting of the Joint Committee on Finance has not yet been scheduled. The Administrator believes that it is necessary to submit the request as soon as possible, but likely some time right after the

election is over. The best approach will be to request each of the positions to be created and funding as soon as possible. The request will seek GPR funds for the positions, equipment, and relocation costs the Commission previously approved. Upon approval, staff will move very quickly to begin filling the required positions. Any unused funds at the end of the fiscal year would lapse into the General Purpose Fund. We would request this to be considered at the next meeting of the Joint Finance Committee after the election.

As for the staffing plan itself, the best approach is as follows. First, staff will begin recruiting to fill the Supervising Attorney position. This is important to fill first because the successful candidate will need to have a say in the selection of the two additional attorneys that he/she will supervise. Additionally, there is a significant load of legal work that needs to start as soon as possible. The new legal team will have to get trained to assist in that work and to be ready to assist in onboarding the new trainers and other staff. The Administrator's goal is to complete this recruitment by the end of the calendar year at the latest. However, there may be some additional approvals from HR to accomplish this.

Next, we will need to fill at least one of the two new attorney positions. This recruitment can likely be done in a way that overlaps with, or begins just after, the Supervising Attorney recruitment. Recently, the Commission has had success in attracting several qualified candidates for its vacancy. If this continues, we may be able to select both new attorneys from one pool of applicants. Ideally, these new attorneys would begin in early to mid-January 2025.

Then, the recruitment will focus on hiring the two trainers. The successful applicants will need to have sufficient time to complete onboarding, develop a plan and training materials for local registrants, work with legal staff to make sure that the materials accurately explain the law, and learn the new campaign finance system so that they can train local registrants how to use it. Ideally, the local trainings will begin in early May. The latest that local trainings can begin would be June 1, 2025. So, these positions should be filled by the middle of February or the first of March.

We should have sufficient space between meeting rooms, hoteling rooms, and hybrid schedules to accommodate these 5 new staff members until we are able to move into our new office space. We expect to be able to move into the new office space by June 1, 2025. A firm timeline for this will be available at the end of the month. While that is being completed, we will then work on recruiting the new Ethics Specialists.

As noted above, we have requested 13 additional Ethics Specialists. The most recent recruitment for Ethics Specialists was in the summer of 2023. We were able to hire two Ethics Specialists from one applicant pool. We also had two additional candidates who likely would have been successful Ethics Specialists. In the prior recruitments, there were typically only one or two quality candidates. Based on this, it is clear that this is going to have to be a multi-stage effort to fill each of these positions. Depending on the success and efficiency of the other recruitments, we would like to have all of the Ethics Specialists onboard by June 1, 2025, when we move into the new office space. However, if some of them do not come onboard until later that month or early July, we should still be able to successfully navigate the transition.

Finally, there are a couple of things to note. First, the utmost priority in recruitment is finding experienced, nonpartisan professionals. To achieve that goal, the Administrator intends to use a variety of tools. In addition to posting the recruitments on the State's jobs website, they will be posted on the COGEL (Council on Governmental Ethics Laws) job posting site for national attention by experienced professionals. Hopefully, this will yield a diverse pool of applicants with proven nonpartisan staff experience. Additionally, to make sure we get the highest quality attorneys possible, we plan to add in a writing sample requirement as part of the recruitment. Second, we will need significant flexibility in the hybrid scheduling approach to best utilize office space until we move to the new office space. Lastly, it is important to note that, because of the work it will take to select and onboard the new staff members, prioritization of the existing workload will be necessary. There may be a slight delay in preparing some matters for the Commission's consideration. Staff knows that the Commission will be supportive and patient during this unprecedented time. Staff hopes that the regulated communities and the public will also be patient and understanding. We will not sacrifice the quality of the work that we do to serve the public and the regulated community just to get work done quickly.

### **CONCLUSION**

If the Commission approves of the foregoing, staff will prepare and submit the supplemental request so that it may be considered at the Joint Finance Committee's earliest possible convenience. The request will seek full funding needed to recruit, house, and equip the additional staff members. Staff will then begin the process to recruit the Supervising Attorney position. Staff will proceed with subsequent recruitments as specified above. If the Commission has any concerns or would prefer to proceed in a different manner, the Commission can direct the Administrator how it wants to proceed with the supplemental request.





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**DATE:** For the Commission Meeting on October 15, 2024

**TO:** Members, Wisconsin Ethics Commission

**FROM:** Ethics Commission Staff

**SUBJECT:** Ethics Commission Staff Report

## Commission Administration

### Trainings

Since the last staff report, Staff Counsel Buerger presented an ethics and lobbying training to members of the Employee Trust Funds Board at its meeting on September 19<sup>th</sup>.

Commission staff is expected to participate as a panelist at the 2024 COGEL Annual Conference in December. The panelists will discuss the varying auditing processes, their benefits, and their limitations. COGEL is the Council on Governmental Ethics Laws. COGEL's membership is comprised of government staff that regulate campaign finance, lobbying, and ethics, and private sector professionals in the industry. Its membership includes government officials and employees at the local, state, and national levels. It has some international members as well.

Staff Counsel Buerger is also scheduled to present ethics trainings to the Deferred Compensation Board in December and the State of Wisconsin Investment Board in 2025.

## Campaign Finance

All committees not claiming the exemption from filing campaign finance reports, as well as any state candidates running for election in 2024, were required to file a July Continuing 2024 campaign finance report. This report was due July 15, 2024. It covers all activity through June 30, 2024. There were 1211 committees required to file the report. There were 1104 reports filed by the July 15 due date, 51 reports filed late, and 56 committees have not yet filed the report.

The Special Election in the 4<sup>th</sup> Senate District had 2 candidates required to file as well as any committees supporting or opposing those candidates. The Pre-Election report was due July 22, 2024. There were 32 that filed the report, with only 3 committees filing late. There was a Post-Election Report due September 13, 2024, required of the candidate on the election ballot and any committee supporting or opposing the candidate on the ballot. There were 16 committees filed by the due date, 14 that filed late, and 18 that failed to file the report. Many of those who filed late did so because CFIS was down during that time. Staff does not anticipate any further significant outages before the election.

All candidates for the Fall 2024 election, along with the committees supporting or opposing the candidates, were required to file the Fall Pre-Primary 2024 report by August 5, 2024. There were 502 committees that filed this report, with 474 filed on time, and 28 filed at least 1 day late. There were 17 candidates that failed to file the report. The report is only required of the non-candidate committees if they made a contribution or disbursement to support or oppose one of the candidates required to file, so staff is unable to determine how many non-candidate committees have failed to file the report.

The September 2024 report was due September 30, 2024. This report was required to be filed by all candidates in the Fall 2024 Primary, and all committees supporting or opposing the candidates. There is also a requirement for incumbents holding a partisan office if not running for election in 2024 to file this report. There were 666 committees that filed the report by the September 30 due date. There have been 23 that filed late, and 36 candidates that have not yet filed. The report is only required of the non-candidate committees if they made a contribution or disbursement to support or oppose one of the candidates required to file, so staff is unable to determine how many non-candidate committees have failed to file the report.

Commission staff continues its normal efforts to follow-up with those who have not yet filed and will be issuing warnings and offering settlements for those who filed late, where appropriate. Any registrant that receives a warning or a settlement may appeal that decision to the Commission.

The next report for candidates in the 2024 election, as well as the committees supporting or opposing them, is the Fall Pre-Election 2024 report. This report is due October 28, 2024.

## **Lobbying**

### 2023–2024 Legislative Session

The Statements of Lobbying Activities and Expenditures (“SLAEs”) for January–June 2024 were due on July 31, 2024. For that period, 674 licensed lobbyists filed 1,924 time reports on behalf of 862 principals. All but three principals have filed.

### 2025–2026 Legislative Session

Registration for the 2025–2026 Legislative Session will open on or about December 2, 2025.

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

### Statements of Economic Interests (“SEIs”)

Officials, candidates, and nominees may begin filing the 2025 SEI on December 1, 2024. Judicial candidates will be required to file the 2025 SEI for ballot access for the Spring 2025 election by January 10, 2025.

State of Wisconsin Investment Board Quarterly Reports

The 2024 second quarter reports covering April to June were due on July 31, 2024. All 60 filers completed the report. The third quarter reports for 59 filers covering July to September will be due on October 31, 2024.

