



Wisconsin Ethics Commission

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Wisconsin Ethics Commission

Board Room
212 East Washington Avenue
Madison, Wisconsin
March 7, 2017
9:00 a.m.

Open Session Minutes

Present: Peg Lautenschlager, Katie McCallum, Mac Davis, David Halbrooks, Pat Strachota, and Timothy Van Akkeren

Staff present: Brian Bell, David Buerger, Richard Bohringer, Kyle Kundert, Molly Nagappala, Adam Harvell, and Julie Nischik

A. Call to Order

Commission Chair Peg Lautenschlager called the meeting to order at 9:13 a.m.

B. Report of Appropriate Meeting Notice

Administrator Brian Bell reported that appropriate notice of the Commission meeting had been given to the public and news media.

C. Minutes of the November 9, 2016 Meeting

MOTION: Approve the minutes. Moved by Commissioner Strachota, seconded by Commissioner McCallum. Motion carried unanimously (5-0).

D. Minutes of the December 6, 2016 Meeting

Commission Chair Lautenschlager directed Commissioners to the draft meeting minutes in the meeting materials.

Page 4 of the December minutes states motion carried unanimously, and also a roll call vote. David Buerger to review the recording and discuss later in the meeting.

Wisconsin Ethics Commissioners

Mac Davis | David R. Halbrooks | Peg Lautenschlager | Katie McCallum | Pat Strachota | Timothy Van Akkeren

Administrator
Brian M. Bell, MPA

E. Minutes of the February 23, 2017 Meeting

MOTION: Approve the minutes. Moved by Commissioner Strachota, seconded by Commissioner McCallum. Motion carries unanimously (5-0).

F. Personal Appearances

There was one personal appearance by members of the public:

Mike Wittenwyler appeared regarding a requested advisory opinion on registration thresholds applicable to section 527 organizations and non-resident PACs, the applicability of contribution limits to each, and the applicability of source restrictions to each.

G. Requests for Advice Public Hearing: 2017-RA-002: Wittenwyler – Treatment of 527 Organizations and Non-Resident Political Action Committees (PACs) Under Chapter 11, Wis. Stat.

Staff Counsel Buerger presented the memo starting on page 15 of the meeting materials.

Discussion.

Commissioner Van Akkeren arrived at 9:43 am.

MOTION: The Commission adopts parts 1, 2, and 3 in section IV of the memo, with a draft opinion to be presented at the next meeting. Moved by Commissioner Strachota, seconded by Commissioner Halbrooks. Motion carried unanimously.

MOTION: The Commission seeks guidance from the legislative oversight committee, as there is no guidance available in the law. Moved by Commissioner Strachota, seconded by Commissioner Halbrooks. Motion carried unanimously.

H. Delegation of Authority to Administrator – Informal Opinions

Administrator Bell presented the memo starting on page 25 of the meeting materials.

Discussion.

MOTION: The Commission adopts criteria 1, 3, and 4 and 5 as modified. Moved by Commissioner Davis, seconded by Commissioner Strachota. Motion carried unanimously.

I. Analysis of Holding Commission Meetings Outside of the Madison Office

Administrator Bell presented the memo starting on page 27 of the meeting materials.

When there are agenda items of particular interest to a specific geographic region, would consider holding a meeting closer to that area. Commission Chair Lautenschlager will set aside this information for future consideration at the discretion of the Chair and Vice Chair.

No action was taken.

J. Update on the 2017 – 2019 Biennial Budget Process

Administrator Bell presented the memo starting on page 29 of the meeting materials.

Discussion of commissioner meeting per diems.

No action was taken.

K. FY2018 Agency IT Strategic Plan Completed – Information Only

Administrator Bell presented the memo starting on page 30 of the meeting materials.

No action was taken.

L. Administrative Rules Update – ETH Chapters 6, 21, 25, and 26

Staff Counsel Buerger presented the memo starting on page 33 of the meeting materials.

Discussion.

MOTION: The Commission approves the scope of the proposed administrative rules, ETH 21 and ETH 25. Moved by Commissioner Strachota, seconded by Commissioner Van Akkeren. Motion carries unanimously.

Commission Chair Lautenschlager requested the draft for ETH 26 be distributed when it is complete.

M. Administrator's Report

Administrator Bell presented the memo starting on page 39 of the meeting materials.

Discussion.

The Commission requests that training materials be updated to include common filing mistakes, as a way to reduce the number of settlements.

N. Consideration of Future Agenda Items

Commissioner Halbrooks directs staff to draft guidance and/or expectations for filing complaints.

Commissioner Strachota proposes a joint meeting with Representative Bernier's and Senator LeMahieu's committees with the Ethics Commission, and possibly the Elections Commission, to discuss legislation and the agency transitions.

Return to Item D of the agenda, Minutes of the December 6, 2017 Meeting. Per the record, there was a motion to approve Ethics 21, which did not pass unanimously. A roll call vote was recorded correctly in the minutes, and the motion failed.

MOTION: The Commission approve the minutes with the amendment to the minutes to "The Commission moves to approve the proposed administrative rule, ETH 21. Moved by Commissioner Kinney, seconded by Commissioner Lautenschlager.", then strike "Motion carried unanimously". Moved by Commissioner McCallum, seconded by Commissioner Halbrooks. Motion carried unanimously.

Administrator Bell requested clarification on legislative updates to the Commissioners. Administrator Bell will provide updates to the Commissioners on bills related to the Commission which are moving forward, and/or which have a scheduled hearing.

O. Closed Session

MOTION: The Commission went into closed session pursuant to Wis. Stat. §§ 19.50, 19.55(3), 19.85(1)(g), (h). Moved by Commissioner Van Akkeren, seconded by Commissioner McCallum. Motion carried unanimously.

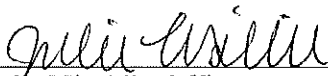
P. Adjourn

MOTION: To adjourn. Moved by Commissioner Halbrooks, seconded by Commissioner Van Akkeren. Motion carried unanimously.

The Commission adjourned at 2:42 p.m.

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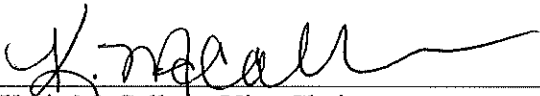
March 7, 2017 Wisconsin Ethics Commissioners meeting minutes prepared by:



Julie Nischik, Office Management Specialist

June 7, 2017

March 7, 2017 Wisconsin Ethics Commissioners meeting minutes certified by:



Katie McCallum, Vice Chair

June 7, 2017