



Wisconsin Ethics Commission

Campaign Finance | Lobbying | Ethics
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Wisconsin Ethics Commission

101 E. Wilson Street
Wisconsin Room
Madison, Wisconsin
April 9, 2019
9:00 a.m.

Open Session Minutes

Present: Katie McCallum, Tamara Packard, Mac Davis, David Halbrooks,
Pat Strachota, and Timothy Van Akkeren

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

A. Call to Order

Commission Chair Katie McCallum called the meeting to order at 9:03 a.m.

B. Report of Appropriate Meeting Notice

Staff Counsel David Buerger reported that appropriate notice of the Commission meeting had been given to the public and news media.

C. Approval of Minutes of Prior Meeting

1. Minutes of March 5, 2019 Open Session Meeting

MOTION: Approve the March 5, 2019 open session minutes. Moved by Commissioner Strachota, seconded by Commissioner Van Akkeren.

Staff Counsel David Buerger noted a typo in item J of the minutes, the date should be April 9, 2019. The Commissioners agreed to the revision.

Motion carried unanimously.

D. Personal Appearances

There were no personal appearances by a member of the public.

E. Ethics Opinions Schedule Review

Staff Counsel David Buerger presented the memo on page 7 of the meeting materials.

The Commissioners discussed the opinions recommended for withdrawal.

MOTION: Withdraw opinions Eth. Bd. Op. 02-08, Eth. Bd. Op. 06-01, and Eth. Bd. Op. 92-32. Moved by Commissioner Strachota, seconded by Commissioner Van Akkeren.

Commissioner Davis requested to divide the question and take up Eth. Bd. Op. 92-32 separately.

MOTION: Withdraw opinions Eth. Bd. Op. 02-08 and Eth. Bd. Op. 06-01. Motion carried unanimously.

MOTION: Revise Eth. Bd. Op. 92-32 opening and closing paragraphs to be consistent with current and previous Board and Commission advice. Moved by Commissioner Davis, seconded by Commissioner Packard. Motion carried unanimously.

MOTION: For Eth. Bd. Op. 97-07, Eth. Bd. Op. 98-13, Eth. Bd. Op. 98-03 and Eth. Bd. Op. 08-01, accept the recommended revisions. Moved by Commissioner Packard, seconded by Commissioner Strachota. Motion carried unanimously.

F. 2019 ETH 01 – Service on Boards of Directors

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

MOTION: Approve the formal opinion. Moved by Commissioner Davis, seconded by Commissioner Van Akkeren. Motion carried unanimously.

G. Consideration of Additional Legislative Recommendations

Administrator Dan Carlton presented the memo on page 31 of the meeting materials.

The Commission discussed the two proposed additions to the Legislative agenda. The Commission directed staff to modify the language of the lobbying day recommendation to accommodate multiple scenarios, as well as the current practices.

MOTION: The Commission approved both legislative recommendations, with the revisions discussed. Moved by Commissioner Strachota, seconded by Commissioner Davis. Motion carried unanimously.

H. Administrator Performance Evaluation Process

Administrator Dan Carlton presented the memo on page 33 of the meeting materials.

Commissioner Davis expressed interest in getting feedback from the regulated community, and others outside of the Commission who work with the Administrator. The Commissioners also agreed that staff feedback can be provided directly to the Chair and Vice Chair. The Commissioners directed staff to set up an online survey with a few questions related to performance and a general feedback question, to be sent to the regulated community, legislators, and other government staff who have interacted with the Administrator. Responses should be sent to the Chair and Vice Chair. The first Administrator review will be conducted at the June 18, 2019 meeting in closed session.

I. Calendar Year 2020 Meeting Dates

Administrator Dan Carlton presented the memo on page 37 of the meeting materials.

The Commissioners changed the December meeting date to December 8, 2020. The optional September meeting date is changed to Friday September 11, 2020.

MOTION: The Commission adopted the meeting calendar with revisions as discussed. Moved by Commissioner Packard, seconded by Commissioner Van Akkeren. Motion carried unanimously.

J. Administrative Rules Update

Staff Counsel David Buerger presented the memo on page 39 of the meeting materials.

MOTION: For ETH 1 – Act 117 Amendments/Attributions, the Commission directs staff to submit the draft rule and associated documents to the Legislative Council’s Rules Clearinghouse and schedule a public hearing on this rule for the June 18, 2019 meeting. Moved by Commissioner Strachota, seconded by Commissioner Van Akkeren. Motion carried unanimously.

K. RDA Draft – Settlement Agreements

Commission staff Julie Nischik presented the memo on page 57 of the meeting materials.

Commissioner Davis amended the record series description to say “settlement agreements reached after an alleged violation...”

MOTION: Adopt the RDA with revisions as discussed. Moved by Commissioner Halbrooks, seconded by Commissioner Van Akkeren. Motion carried unanimously.

L. Staff Report

Commission Administrator Daniel Carlton presented the report on page 61 of the meeting materials.

The Commissioner discussed their preference of meeting rooms, indicating future meetings should be held in the St. Croix room. Meeting attendees can enter that room without requiring they identify themselves at the security desk.

M. Consideration of Future Agenda Items

Commissioner Halbrooks requested the Commission revisit the standard settlement schedules at a future meeting.

N. 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 Packard, seconded by Commissioner Strachota. Motion carried unanimously.

1. Requests for Advice
2. Complaints and Investigations

O. Adjourn

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

Meeting adjourned at 1:26 p.m.

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April 9, 2019 Wisconsin Ethics Commission meeting minutes prepared by:



Julie Nischik, Office Management Specialist June 18, 2019

April 9, 2019 Wisconsin Ethics Commission meeting minutes certified by:



Tamara Packard, Vice Chair June 18, 2019