



Wisconsin Ethics Commission

Campaign Finance | Lobbying | Ethics
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Wisconsin Ethics Commission

101 E. Wilson Street
Yahara Room
Madison, Wisconsin
August 20, 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, Richard Bohringer, Harry Broderick,
Colette Greve, Adam Harvell, Caroline Russell, and Deb Brauer

A. Call to Order

Commission Chair Katie McCallum called the meeting to order at 9:04 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 June 18, 2019 Open Session Meeting

MOTION: Approve the June 18, 2019 open session minutes. Moved by Commissioner Van Akkeren, seconded by Commissioner Strachota. Motion carried unanimously.

D. Personal Appearances

There were no personal appearances by a member of the public

E. Legislative Recommendations and Approval of Draft Bill

Commission Administrator Dan Carlton presented the memo on page 9 of the meeting materials.

MOTION: The Commission approved the draft bill as presented. Moved by Commissioner Packard, seconded by Commissioner Strachota. Motion carried unanimously.

Wisconsin Ethics Commissioners

Mac Davis | David R. Halbrooks | Katie McCallum | Tamara Packard | Pat Strachota | Timothy Van Akkeren

Administrator

Daniel A. Carlton, Jr.

F. Ethics Opinion Review

Ethics Specialist Colette Greve presented the memo on page 77 of the meeting materials.

MOTION: The Commission withdrew Eth. Bd. Op. 95-06. Moved by Commissioner Van Akkeren, seconded by Commissioner Halbrooks. Motion carried unanimously.

MOTION: The Commission withdrew Eth. Bd. Ops. 92-31 and 93-08. Moved by Commissioner Packard, seconded by Commissioner Van Akkeren. Motion carried unanimously.

MOTION: The Commission reaffirmed Eth. Bd. Ops. 91-02, 92-33, 94-03, 95-01, 95-03, 96-03, 97-01, 98-14, 99-08, 04-06, 07-02, 07-03, 07-05, 07-10, 2008 GAB 02, 2008 GAB 09, and 2009 GAB 02. Moved by Commissioner Packard, seconded by Commissioner Strachota. Motion carried unanimously.

G. Administrative Rules Update

Staff Counsel David Buerger presented the memo on page 85 of the meeting materials.

The Commission discussed the recommendations provided in the memo, and directed staff to include specific instructions for font size depending on the size of the material. Using 10-point font is appropriate up to a sheet sized 8.5” by 11”, and 12-point font for items between 8.5” by 11” and 24” by 36”. Any items larger than that would require the attribution be 4% of the size of the font on the item. The Commissioners directed staff to remove bumper stickers and clothing from the list of items not requiring an attribution. Small online ads and other similar communications (item e) should be moved to the end of the list.

MOTION: For ETH 1 – Act 117 Amendment/Attributions, the Commission approved the draft as revised based on discussion in the meeting. Moved by Commissioner Packard, seconded by Commissioner Van Akkeren. Motion carried unanimously.

Regarding ETH 26, Commissioner Packard directed staff to replace “unauthorized lobbying” with “lobbying prior to authorization” throughout the document.

MOTION: For ETH 26 – Settlement Schedules, the Commission approves the draft statement of scope with the revisions as discussed and directs staff to submit it to the Department of Administration and the Governor for review and approval. Moved by Commissioner Van Akkeren, seconded by Commissioner Packard. Motion carried unanimously

MOTION: For ETH 1 – Comprehensive Review of ETH 1 for consistency with statute, the Commission approves the draft statement of scope and direct staff to submit it to the Department of Administration and the Governor for review and approval. Moved by Commissioner Van Akkeren, seconded by Commissioner Packard. Motion carried unanimously.

H. Consideration of Guidance Documents

Staff Counsel David Buerger presented the memo on page 111 of the meeting materials.

MOTION: The Commission adopted ETH-1211. Moved by Commissioner Davis, seconded by Commissioner Packard. Motion carried unanimously.

The Commission discussed guidance document ETH-1253, and directed staff to draft guidance in the future specific to legislative staff social media usage.

MOTION: The Commission adopted ETH-1253. Moved by Commissioner Packard, seconded by Commissioner Strachota. Motion carried unanimously.

MOTION: The Commission adopted the remaining guidance documents as presented. Moved by Commissioner Van Akkeren, seconded by Commissioner Davis. Motion carried unanimously.

I. Review Settlement Schedules

Ethics Specialist Colette Greve presented the memo on page 285 of the meeting materials.

MOTION: For late special post-election reports, approve as presented on page 287 of the materials. Moved by Commissioner Davis, seconded by Commissioner Strachota. Motion carried unanimously.

MOTION: The Commission removed late September reports from the schedule for late continuing reports and combined it with the schedule for late pre-primary and pre-election reports. Moved by Commissioner Packard, seconded by Commissioner Strachota. Motion carried 5-0, Commissioner Halbrooks absent.

MOTION: For settlement amounts for late continuing reports, the Commission adopted the schedule as described on page 288 of the meeting materials, and clarified the schedule is calendar days. Moved by Commissioner Van Akkeren, seconded by Commissioner Davis. Motion carried 5-0, Commissioner Halbrooks absent.

MOTION: The Commission clarified the campaign finance settlement schedules to indicate calendar days for all schedules. Moved by Commissioner Strachota, seconded by Commissioner Van Akkeren. Motion carried 5-0, Commissioner Halbrooks absent.

MOTION: The Commission clarified the settlement schedule for late report of first communication on a lobbying matter to be calendar days. Moved by Commissioner Van Akkeren, seconded by Commissioner Strachota. Motion carried 5-0, Commissioner Halbrooks absent.

MOTION: The Commission clarified the settlement schedule for late filing of statement of economic interest to be calendar days. Moved by Commissioner Strachota, seconded by Commissioner Van Akkeren. Motion carried 5-0, Commissioner Halbrooks absent.

J. Convenience Fees for Electronic Payments

Ethics Specialists Caroline Russell and Rich Bohringer presented the memo on page 307 of the meeting materials.

MOTION: The Commission modified the convenience fees for lobbying payments, to increase to 2.5%. Moved by Commissioner Strachota, seconded by Commissioner Van Akkeren. Motion carried unanimously.

MOTION: The Commission set the convenience fees for credit and debit card payments of campaign finance filing fees to 2.5%. Moved by Commissioner Strachota, seconded by Commissioner Van Akkeren. Motion carried 5-1, Commissioner Davis voted no.

K. Campaign Finance Auditing Procedure – Address/Occupation Information

Ethics Specialists Adam Harvell and Richard Bohringer presented the memo on page 311 of the meeting materials.

The Commission discussed the process for the audit, and directed staff to develop a plan for review at the next meeting. Staff will reanalyze the data and present numbers for 95% compliance, with 0, 5, and 10 potential violations. Staff will also attempt to analyze contributions mission information based on the contribution amount.

L. Lobbying Law and Due Process

Legal intern Deb Brauer presented her research and memo from the supplemental materials.

The Commission took no action based on the information presented.

M. Annual Report Review Draft

Commission Administrator Dan Carlton presented the draft report on page 317 of the meeting materials.

MOTION: The Commission approved the draft 2019 Annual Agency Report, and adopted the policies therein. Moved by Commissioner Van Akkeren, seconded by Commissioner Strachota. Motion carried unanimously.

N. IT Projects Report

Commission Administrator Dan Carlton presented the report on page 383 of the meeting materials.

The Commission took no action.

O. Staff Report

Commission Administrator Dan Carlton presented the report on page 385 of the meeting materials.

The Commission took no action.

P. Consideration of Future Agenda Items

The Commission did not discuss any future agenda items.

Q. Closed Session

MOTION: To go into closed session. Moved by Commissioner Packard, seconded by Commissioner Van Akkeren. Motion carried unanimously.

1. Request for Advice
2. Complaints and Investigations

R. Discussion of Administrator Assignments, If Any

The Commission did not discuss any administrator assignments.

S. Adjourn

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

Meeting adjourned at 5:17 p.m.

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August 20, 2019 Wisconsin Ethics Commission meeting minutes prepared by:



Julie Nischik, Office Management Specialist

December 3, 2019

August 20, 2019 Wisconsin Ethics Commission meeting minutes certified by:



Tamara Packard, Vice Chair

December 3, 2019