

State of Wisconsin\Government Accountability Board

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JUDGE THOMAS CANE
Chair

KEVIN J. KENNEDY
Director and General Counsel

WISCONSIN GOVERNMENT ACCOUNTABILITY BOARD
Room 150, Risser Justice Building
120 Martin Luther King, Jr. Boulevard.
Madison, Wisconsin
June 9, 2008
9:30 a.m.

Open Session Minutes

<u>Summary of Significant Actions Taken</u>	<u>Page</u>
A. Adopted staff recommendations for ballot access challenge procedures.	2
B. Reaffirmed five opinions and five administrative rules, and declined to reaffirm three opinions, regarding contribution limits. Reaffirmed three opinions regarding source identification.	3
C. Reaffirmed one opinion and three administrative rules, and declined to affirm two opinions, regarding campaign spending.	3
D. Reaffirmed two opinions regarding absentee voting.	3
E. Reaffirmed two opinions, and reaffirmed and noted statutory changes to a third opinion regarding electioneering.	3
F. Postponed action on 29 opinions regarding campaign activity and contributions.	3
G. Adopted a staff recommendation pertaining to a guideline regarding officials attending events at a national party convention and requested affected public be notified.	3
H. Adopted proposed administrative rules establishing a settlement offer schedule.	4

Present: Judge Thomas Cane, Judge Michael Brennan, Judge William Eich, Judge Gordon Myse, Judge Gerald Nichol (by telephone)

Staff present: Kevin Kennedy, Jonathan Becker, Barbara Hansen, Sharrie Hauge, Kyle Richmond, Nat Robinson, Tommy Winkler

A. Call to order

Chairman Cane called the meeting to order at 9:37 a.m.

B. Director's report of appropriate notice of meeting

Kevin Kennedy reported that the meeting had been properly noticed.

C. Approval of minutes of the previous meeting

MOTION: Approve minutes of the May 5, 2008 meeting of the Government Accountability Board. Moved by Eich, seconded by Nichol. Motion carried.

D. Public Comment

1. **Gail Shea**, former State Campaign Finance and Elections Administrator, appeared to comment about auditing campaign finance reports and a memo to the G.A.B. regarding review of former Ethics Board guidelines from Attorney Mike Wittenwyler.
2. **Mike McCabe**, Wisconsin Democracy Campaign, appeared to comment on Section G of the G.A.B. agenda pertaining to the proposed campaign finance settlement offer schedule listed on page 57 of the G.A.B. meeting materials.
3. **Mike Wittenwyler**, Association of Wisconsin Lobbyists, appeared to comment on his memo to the G.A.B. regarding review of former Ethics Board guidelines.
4. **Maureen Bussalachi**, Smokefree Wisconsin, appeared to comment on guidelines and administrative rule-making for Wisconsin lobbyists.

Hearing no objections, the Chairman called a 10-minute recess and reconvened the meeting at 11:10 a.m.

E. Proposed Ballot Access Challenge Procedures (presented by Kevin Kennedy)

MOTION: Adopt staff recommendations set out on pages 14-15 of the G.A.B. meeting materials. Moved by Myse, seconded by Eich. Motion carried.

F. Review of Elections Board Opinions and Administrative Rules
(Presented by Kevin Kennedy)

Board members asked staff to come back with proposed rules regarding joint-checking accounts and family contributions at a future meeting.

- 1) **Contribution Limits** and
- 2) **Source Identification (Disclaimers)**

MOTION: Adopt staff recommendations set out on pages 23-24 of the G.A.B. meeting materials. Moved by Myse, seconded by Nichol. Motion carried.

3) Campaign Spending

MOTION: Adopt staff recommendations set out on page 24 of the G.A.B. meeting materials. Moved by Eich, seconded by Nichol. Motion carried.

4) Absentee Voting

MOTION: Adopt staff recommendations set out on pages 23-24 of the G.A.B. meeting materials. Moved by Nichol, seconded by Brennan. Motion carried.

5) Electioneering

MOTION: Adopt staff recommendations set out on page 24 of the G.A.B. meeting materials. Moved by Myse, seconded by Eich. Motion carried.

G. Review of Select Former Ethics Board Opinions and/or Guidelines (presented by Jonathan Becker)

1) Opinions Related to Campaign Activity and Contributions

MOTION: Postpone action until the July 15, 2008 G.A.B. meeting. Moved by Myse, seconded by Eich. Motion carried.

2) Guidelines Related to Scheduling, Solicitation, Campaign Contributions, Referendums, Lobbying, Attending Events at National Party Convention

Board members asked staff to come back with proposed procedures by which guidelines will be handled at a future meeting.

MOTION: Adopt staff recommendation set out on pages 42 and 49 for guideline for attending events at a national party convention and notify affected public. Moved by Myse, seconded by Eich. Motion carried.

H. Review of Proposed Administrative Rules Establishing a Settlement Offer Schedule (Presented by Jonathan Becker)

MOTION: Adopt staff recommendations set out on pages 50-61 of the G.A.B. meeting materials with the exception of number 12, which should be rewritten and presented at a future meeting. Moved by Eich, seconded by Nichol. Motion carried.

Hearing no objections, the Chairman called a lunch break and reconvened the meeting at 1:00 p.m.

I. Director's Report

Elections Division Report

(Presented by Nathaniel E. Robinson)

Report was presented for informational purposes; the Board took no action.

Ethics and Accountability Division Report

(Presented by Jonathan Becker)

Report was presented for informational purposes; the Board took no action.

Agency Administrative Activities

(Presented by Kevin Kennedy and Sharrie Hauge)

Report was presented for informational purposes; the Board took no action.

Judge Eich expressed his pleasure at the levels of confidence and enthusiasm exhibited by the Board's staff.

J. Move to Closed Session

MOTION: Move to closed session pursuant to Sections 5.05(6a), 19.85 (1) (c), (g), (h), and 19.851 Wis. Stats. to consider written requests for advisory opinions, the investigation of possible violations of Wisconsin's lobbying law, campaign finance law, and Code of Ethics for Public Officials and Employees; confer with counsel concerning pending litigation; and consider compensation and performance of Legal Counsel.

Moved by Nichol, seconded by Brennan. Motion carried unanimously.

Roll call vote:	Brennan:	Aye	Cane:	Aye
	Eich:	Aye	Myse:	Aye
	Nichol:	Aye		

Motion carried, 5-0.

The Board went into closed session at 2:20 p.m.

Summary of Significant Actions Taken in Closed Session

- A. Requests for Advice: Four items considered.
- B. Investigations: Three items considered; two items closed.

MOTION: Adjourn the meeting.

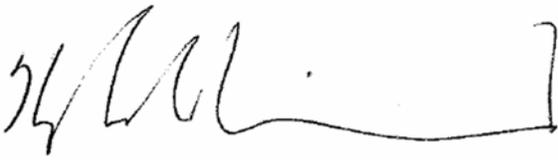
Moved by Eich, seconded by Myse. Motion carried unanimously.

The meeting was adjourned at 4:15 p.m.

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The next meeting of the Government Accountability Board is scheduled for 9:30 a.m., Tuesday, July 15, 2008, and Wednesday, July 16, 2008 in Room 150 of the Risser Justice Center, 120 Martin Luther King Jr. Boulevard, Madison, Wisconsin.

June 9, 2008 Government Accountability Board meeting minutes prepared by:



Kyle R. Richmond, Public Information Officer

June 25, 2008

Date

June 9, 2008 Government Accountability Board meeting minutes certified by:

Judge Gerald Nichol, Board Vice Chair

July 15, 2008

Date