

Government Accountability Board

State of Wisconsin

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Statement on Open Meetings

MADISON, WI – Kevin Kennedy, director and general counsel of the Government Accountability Board, released this statement regarding a letter from legislators to the Attorney General requesting an investigation of potential open meetings law violations:

The Government Accountability Board members and staff are well aware of the requirements of the Open Meetings Law and carefully follow them. Board members know not to discuss agency business outside of properly noticed meetings and are reminded not to ‘reply all’ to communications they receive from the agency’s director if they feel the need to comment on an issue raised in the email.

The communication protocol described by Judge Nichol at Tuesday’s hearing was designed to keep Board members informed of the day-to-day operations of the staff and to avoid any instances of a walking quorum occurring.

The agency’s director and chair communicate regularly about day-to-day operational issues. When warranted, the director will send an email to the chair summarizing their discussion and any direction the chair has given to him. Board members are copied on that email. When appropriate, those emails contain a request that if a board member has a concern about the chair’s direction, the board member should communicate the concern to the director. The director will then share any concerns with the board chair, who will call a special meeting of the board to discuss the issue as required by the Open Meetings Law.

This procedure has been used since January 2015, when Judge Nichol became chair of the board, to ensure that board members were being kept informed about day-to-day agency operations and to provide a means for members to request a special meeting of the board without communicating among themselves in violation of the Open Meetings Law.

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The Government Accountability Board (G.A.B.) is responsible for administration and enforcement of campaign finance, elections, ethics and lobbying laws in Wisconsin. The G.A.B. is made up of six non-partisan, former judges and is supported by an agency of non-partisan staff members.