

Complaints and Investigations under Wisconsin's Ethics Code and Lobbying Law

The Ethics Board may investigate possible violations of the Ethics Code and lobbying law whenever circumstances warrant and may file complaints alleging violations whenever it concludes there is probable cause to do so.

During the period January through December 2002, the Board completed investigations of the following matters pertaining to possible violations of the statutorily prescribed standards of conduct for state officials, lobbyists, and principals.

REPRESENTATIVE'S MISUSE OF STATE TELEPHONE. In light of published accounts suggesting that Representative Johnnie Morris-Tatum billed personal expenses to taxpayers, the Board investigated to determine if the Representative violated the Ethics Code by billing personal telephone calls to the state. As a result of the investigation, Representative Morris-Tatum reimbursed the state \$1,800 and paid a civil forfeiture of \$1,000. [2001-SC-02]

LOBBYISTS' FURNISHING CAMPAIGN CONTRIBUTIONS. The Ethics Board found that seven lobbyists had made campaign contributions to gubernatorial candidates during a time not permitted by the lobbying law. Each lobbyist secured the return of the improper contribution and forfeited the amount of the contribution to the State of Wisconsin. The lobbyists, penalties they paid, and the candidates to whom the contributions were furnished are:

• Julius Agara	\$500	Gary George
• Connie Coddington	\$100	Scott McCallum
• Spencer Korte	\$100	Scott McCallum
• Terry Marshall	\$250	Kathleen Falk
• Jack Norman	\$100	Tom Barrett
• Michael Serpe	\$100	James Doyle
• Dona Wininsky	\$100	Tom Barrett

[2002-SC-02]

UNLAWFUL USE OF STATE RESOURCES. In light of news reports appearing on July 24, 2002 indicating that an employee of the state senate had provided assistance in a challenge to the sufficiency of gubernatorial nomination papers filed with the Elections Board by Senator Gary George. The Ethics Board investigated and found that two senate employees, Joel Gratz and George Twigg, were in violation of a rule of the Legislature's Joint Committee on Legislative Organization providing:

An employee of the Legislature may not engage in campaign activities during hours of employment claimed or while on any form of paid leave (including compensatory or "comp" time) other than vacation time and then only after having submitted to the Chief Clerk a request to use vacation time and a finding that the leave will not be contrary to the interests of that house or during regular hours of employment unless the employee has submitted to the Chief Clerk a request to work variant hours or for unpaid leave and a finding that such variant hours or unpaid leave will not be contrary to the interests of that house.

That the rule further provides that a "legislative employee's actions contrary to this Joint Committee on Legislative Organization's rule is prohibited and is an unlawful use of State resources". Joel Gratz paid a forfeiture of \$300.00 and George Twigg paid a forfeiture of \$100.00. [2002-SC-04]

IMPROPER FURNISHING OF CAMPAGIN CONTRIBUTIONS. The Ethics Board reviewed data from campaign finance reports filed for the period January through July 2002. It was discovered that lobbyists apparently furnished a number of reported contributions during a time not permitted under §13.625, *Wisconsin Statutes*. Each lobbyist that was found in violation of the law, secured the return of the improper contribution and forfeited the amount of the contribution to the State of Wisconsin. The lobbyists, penalties they paid, and the candidates to whom the contributions were furnished are:

• William J. Bazan	\$100.00	Peggy Rosenzweig
• Samuel J. Carmen	\$100.00	Tom Barrett
• Franklin Cumberbatch	\$100.00	Tom Barrett
• Christine A. Russell	\$100.00	Kathleen Falk
• Tim Sheehy	\$200.00	Antonio Riley
• Carol N. Skornicka	\$100.00	Jeff Stone
• Robert J. Bartlett	\$100.00	Tom Barrett

[2002-SC-07 – 2002-SC-21]

LATE STATEMENTS OF LOBBYING ACTIVITIES AND EXPENDITURES. The following lobbying organization paid a penalty for filing their Statement of Lobbying Activities and Expenditures for the first half of 2002 late:

- Wisconsin Association of Home Inspectors paid \$25.00.

The Board collected \$1,762.50 in forfeitures for late filing penalties for failure to report a lobbying communication within 15 days for the last half of 2001. The Board collected \$1,812.50 in forfeitures for late filing penalties for failure to report a lobbying communication with 15 days for the first half of 2002.

The Board in this period collected \$680 in forfeitures for late filing of Statements of Economic Interests.

The Ethics Board deposits the penalties it collects in the state school fund.