

1977 Assembly Bill 627

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CHAPTER 223, Laws of 1977

AN ACT to amend 19.42 (4) and (8), 19.43 (2), 19.45 (9) and 19.46 (1) (b); and to create 19.45 (11) (d), 19.46 (1) (c) and 19.48 (8) (d) of the statutes, relating to extension of the statutory code of ethics to justices and judges of courts of record and the administrative director of courts.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 19.42 (4) of the statutes is amended to read:

19.42 (4) "Candidate for state public office" means any person who files nomination papers and a declaration under s. 8.10 (5), 8.15 (4) (b) or 8.20 (6) for the purpose of appearing on the ballot for election as a state public official, any person nominated for ~~state office in an~~ the purpose of appearing on the ballot for election as a state public official through the write-in process and who files a declaration under s. 8.10 (5) or 8.15 (4) (b), or any person who is nominated by the governor for appointment to state public office to serve as a state public official and whose nomination is pending, ~~but the term does not include candidates for the judiciary.~~

SECTION 2. 19.42 (8) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

19.42 (8) "State public official" means ~~all persons~~ every person appointed by the governor with the advice and consent of the senate, judges of courts of record, reserve judges, justices of the supreme court, the administrative director of courts, and all other

persons identified under s. 20.923, except ~~officers and~~ employes of the judiciary not mentioned in this subsection, trustees and employes of the investment board, teaching personnel of the university of Wisconsin system and trustees of any private higher educational institution receiving state appropriations.

SECTION 3. 19.43 (2) of the statutes is amended to read:

19.43 (2) Within 21 days after a person becomes a candidate for state public office ~~other than a judicial office~~, such person shall file a statement of economic interests with the secretary of state and the board.

SECTION 4. 19.45 (9) of the statutes is amended to read:

19.45 (9) The attorney general ~~shall~~ may not engage in the private practice of law during the period in which he or she holds that office. No justice of the supreme court and no judge of any court of record may engage in the private practice of law during the period in which he or she holds that office.

SECTION 5. 19.45 (11) (d) of the statutes is created to read:

19.45 (11) (d) The supreme court shall promulgate a code of judicial ethics for officers and employes of the judiciary and candidates for judicial office which shall include financial disclosure requirements. All justices and judges shall, in addition to complying with this subchapter, adhere to the code of judicial ethics.

SECTION 6. 19.46 (1) (b) of the statutes is amended to read:

19.46 (1) (b) If the state public official is not a legislator, a justice or a judge, his or her superior, if any, shall assign the matter to another employe who does not have a possible conflict of interest. If the state public official has no immediate superior, he or she may seek advice from the board to remove himself or herself from influence over actions and decisions on the matter on which the possible conflict exists.

SECTION 7. 19.46 (1) (c) of the statutes is created to read:

19.46 (1) (c) If the state public official is a justice of the supreme court, he or she shall decline to participate in the deliberations or decision of the matter concerning which the conflict exists. If the state public official is the judge of a court of record, he or she shall refrain from participation in and request reassignment of the matter concerning which the conflict exists.

SECTION 8. 19.48 (8) (d) of the statutes is created to read:

19.48 (8) (d) In the case of a justice of the supreme court or judge of a court of record, to the presiding officer of each house of the legislature and to the supreme court.
