

2003 DRAFTING REQUEST

Bill

Received: **12/05/2002**

Received By: **jkuesel**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Council - LRC**

By/Representing: **Nicholas Zavos**

This file may be shown to any legislator: **NO**

Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **Ethics**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Ethics code coverage for baseball park district board members; certification of candidates for municipal judge

Instructions:

Per 01 SB-430.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 12/05/2002	kgilfoy 12/05/2002		_____			
/P1			chaskett 12/09/2002	_____	lemery 12/09/2002		
/P2	jkuesel 09/19/2003	kgilfoy 09/19/2003	pgreensl 09/22/2003	_____	sbasford 09/22/2003		
/1	jkuesel 10/23/2003	kgilfoy 10/23/2003	rschluet 10/23/2003	_____	Inorthro 10/23/2003	sbasford 10/24/2003	

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

sbasford
10/24/2003

FE Sent For:

*None
needed*

<END>

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/1	jkuesel 10/23/2003	kgilfoy 10/23/2003	rschluet 10/23/2003	_____	lnorthro 10/23/2003		

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/P1			chaskett 12/09/2002		lemery 12/09/2002		
/P2	jkuesel 09/19/2003	kgilfoy 09/19/2003	pgreensl 09/22/2003		sbasford 09/22/2003		

FE Sent For: *jkuesel 10/23* *11-12/23* *King*

9 *10/23/03* *P6*

<END>

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/?	jkuesel 12/05/2002	kgilfoy 12/05/2002					
/P1 1P2	jkuesel 9/19/03	1P2-9/19 kmg	chaskett 12/09/2002	9/22	lemery 12/09/2002		

FE Sent For:

9/19
P8
PS/Ch

<END>

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1/1	jkuesel 12/5/pl-12/5	KMG	1/1/12/5 CPH	1/1 12/5 15/CPH			

FE Sent For:

<END>

Kuesel, Jeffery

2f25

From: Zavos, Nicholas
Sent: Tuesday, December 03, 2002 10:59 AM
To: Kuesel, Jeffery
Subject: Law revision proposals

Jeff -

I am writing to request a draft for next session's law revision committee. The Ethics Board wants to reintroduce SB 430. Could you draft that as a preliminary draft for the committee to consider. Thanks.

Nicholas R. Zavos
Staff Attorney
Wisconsin Legislative Council
(608) 266-1308
nicholas.zavos@legis.state.wi.us

Winters

2001 SENATE BILL 430

February 7, 2002 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Judiciary, Consumer Affairs, and Campaign Finance Reform.

Gen. Cat.

1 AN ACT *to amend* 19.43 (4); and *to create* 19.42 (7w) (cs) of the statutes;
2 **relating to:** coverage of certain members of district boards of local professional
3 baseball park districts under the code of ethics for local public officials and filing
4 of statements of economic interests by candidates for joint municipal
5 judgeships (suggested as remedial legislation by the ethics board).

Analysis by the Legislative Reference Bureau

This bill makes one change to the code of ethics for state public officials and one change to the code of ethics for local public officials. The changes are:

Coverage of certain members of baseball park district boards

Currently, the members of the district board of a local professional baseball park district are either appointed by the governor to serve for a term specified by law or appointed by various local elective officials to serve at the pleasure of those officials. Members of a district board who are appointed by the governor are subject to the statutory code of ethics for local public officials, which prohibits certain specified conduct that would create a conflict of interest. In addition, all members of a district board are required to adhere to additional standards of conduct that parallel the standards required of state public officials.

This bill requires those members of the district board of a local professional baseball park district who are appointed by local elective officials to adhere to the same standards of conduct that are currently applicable to other local public officials, including other members of a district board.

SENATE BILL 430***Statements of economic interests by candidates for joint municipal judgeships***

Currently, candidates for the office of municipal judge are required to file statements of economic interests containing certain information with the state ethics board. Municipal clerks and boards of election commissioners are prohibited from certifying the names of candidates for the office of municipal judge for placement on the ballot at an election until the candidates have complied with this requirement. Currently, two or more municipalities may create a joint municipal judgeship. In that case, the filing officer or agency that certifies the names of the candidates for placement on the ballot is the county clerk or board of election commissioners of the county having the largest portion of the population within the jurisdiction served by the municipal judge.

This bill prohibits a county clerk from certifying the name of a candidate for the office of municipal judge serving two or more municipalities until the candidate has filed a statement of economic interests containing the required information with the state ethics board.

For further information, see the NOTES provided by the law revision committee of the joint legislative council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Ethics Board and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4, stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

- 1 **SECTION 1.** 19.42 (7w) (cs) of the statutes is created to read:
 2 19.42 (7w) (cs) The position of member of the district board of a local
 3 professional baseball park district under subch. III of ch. 229 not serving for a
 4 specified term.

NOTE: Members of the board of a local professional baseball park district are appointed in one of two ways. They can be appointed by the governor to serve a term specified by law, or they can be appointed by specified local officials to serve at the officials' pleasure. Under current law, board members are subject to different ethical requirements depending on how the board member is appointed. Though all board members must comply with ethical standards that parallel the standards for state public officials, only those appointed by the governor are subject to the statutory code of ethics for local public officials. SECTION 1 requires board members appointed by local officials to comply with the code of ethics for local public officials. ✓

- 5 **SECTION 2.** 19.43 (4) of the statutes is amended to read:

SENATE BILL 430

1 19.43 (4) A candidate for state public office shall file with the board a statement
2 of economic interests meeting each of the requirements of s. 19.44 (1) no later than
3 4:30 p.m. on the 3rd day following the last day for filing nomination papers for the
4 office which the candidate seeks, or no later than 4:30 p.m. on the next business day
5 after the last day whenever that candidate is granted an extension of time for filing
6 nomination papers or a declaration of candidacy under s. 8.05 (1) (j), 8.10 (2) (a), 8.15
7 (1), or 8.20 (8) (a), no later than 4:30 p.m. on the 5th day after notification of
8 nomination is mailed or personally delivered to the candidate by the municipal clerk
9 in the case of a candidate who is nominated at a caucus, or no later than 4:30 p.m.
10 on the 3rd day after notification of nomination is mailed or personally delivered to
11 the candidate by the appropriate official or agency in the case of a write-in candidate
12 or candidate who is appointed to fill a vacancy in nomination under s. 8.35 (2) (a).
13 The information contained on the statement shall be current as of December 31 of
14 the year preceding the filing deadline. Before certifying the name of any candidate
15 for state public office under s. 7.08 (2) (a), the elections board, county clerk, municipal
16 clerk, or board of election commissioners shall ascertain whether that candidate has
17 complied with this subsection. If not, the elections board, county clerk, municipal
18 clerk, or board of election commissioners may not certify the candidate's name for
19 ballot placement.

NOTE: A candidate for a municipal judgeship must file a statement of economic interest with the ethics board. Current law requires the elections board, the municipal clerk, or the board of election commissioners to ascertain whether the candidate has complied with this requirement, and prohibits those three bodies from certifying the candidate's name for ballot placement if the candidate has not complied. Elections for joint jurisdiction municipal court judges, however, are not necessarily administered by the elections board, the municipal clerk, or the board of election commissioners. The county clerk may have that responsibility. SECTION 2 subjects the county clerk to the same requirements as the elections board, the municipal clerk, and the board of election

SENATE BILL 430

commissioners: the county clerk must verify compliance and is prohibited from certifying the name of a candidate who fails to comply.

1

(END)

Kuesel, Jeffery

From: Judd, Roth
Sent: Wednesday, September 17, 2003 9:36 AM
To: Zavos, Nicholas
Cc: Kuesel, Jeffery; Becker, Jonathan
Subject: LRB-1052/P1 a law revision bill at request of the Ethics Board

Nick--

Please take a look at this suggestion and call me. Shall we ask the LRB for a new draft?

roth judd

Re: 2003 LRB-1052/P1

1. Replace "government" with "governmental unit" in each of the 3 places it occurs in section 19.42 (7w)(d).

Reason: "local governmental unit" is defined at 19.42 (7u) and is used consistently throughout subchapter III of chapter 19. Using "local government unit" in the one section introduces an ambiguity.

2. In the bill draft, at page 2, lines 2-4 replace the current language with something like this:

19.42 (7w) (cs) The position of member of a district board under subch. II, III, IV, and V of ch. 229.

Reason: This is a direct way of stating that the members of these 4 boards are local public officials without resort to the complicated formulas requiring reference to the method of creation of each district board.

*Roth Judd, Director
Wisconsin Ethics Board
roth.judd@ethics.state.wi.us
voice: 608-266-8111 fax: 608-264-9319
Visit us on the internet: <http://ethics.state.wi.us>*



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Gen. Cat.

applicability of the Code of Ethics for Local Public Officials to certain positions,

1 AN ACT to amend 19.43 (4); and to create 19.42 (7w) (cs) of the statutes;
2 relating to: coverage of certain members of ^{the} district boards of local professional
3 baseball park districts ^{and local cultural arts districts} under the Code of Ethics for Local Public Officials and
4 filing of statements of economic interests by candidates for joint municipal
5 judgeships (suggested as remedial legislation by the Ethics Board).

Analysis by the Legislative Reference Bureau

This bill makes one change to the Code of Ethics for State Public Officials and one change to the Code of Ethics for Local Public Officials. The changes are:

Coverage of certain members of baseball park district boards

Currently, the members of the district board of a local professional baseball park district are either appointed by the governor to serve for a term specified by law or appointed by various local elective officials to serve at the pleasure of those officials. Members of a district board who are appointed by the governor are subject to the statutory Code of Ethics for Local Public Officials, which prohibits certain specified conduct that would create a conflict of interest. In addition, all members of a district board are required to adhere to additional standards of conduct that parallel the standards required of state public officials.

This bill requires those members of the district board of a local professional baseball park district who are appointed by local elective officials, ^{as well as all members of a district board of a local cultural arts district created by a city} to adhere to the same standards of conduct that are currently applicable to other local public officials, including other members of a district board.

^{first} Currently, if a local cultural arts district is created by a ~~first~~ class city (currently only Milwaukee), the membership of the district board that governs the district may be structured by the city in such a way that some or all of the members are not subject to the Code of Ethics for local public officials. If a cultural arts district is created by any other city, all members of the district board are subject to the Code of Ethics for local public officials.

INS 2A →

Statements of economic interests by candidates for joint municipal judgeships

Currently, candidates for the office of municipal judge are required to file statements of economic interests containing certain information with the state Ethics Board. Municipal clerks and boards of election commissioners are prohibited from certifying the names of candidates for the office of municipal judge for placement on the ballot at an election until the candidates have complied with this requirement. Currently, two or more municipalities may create a joint municipal judgeship. In that case, the filing officer or agency that certifies the names of the candidates for placement on the ballot is the county clerk or board of election commissioners of the county having the largest portion of the population within the jurisdiction served by the municipal judge.

This bill prohibits a county clerk from certifying the name of a candidate for the office of municipal judge serving two or more municipalities until the candidate has filed a statement of economic interests containing the required information with the state Ethics Board.

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1 SECTION 1. 19.42 (7w) (cs) of the statutes is created to read:

2 19.42 (7w) (cs) The position of member of ^{a board of directors or} ~~the district board of a local~~
3 ~~district board of a district created under subch. II, III, IV, or V of~~
4 ~~professional baseball park district under subch. III of ch. 229 not serving for a~~
~~specified term.~~
~~Ch. 229.~~

NOTE: Members of the board of a local professional baseball park district are appointed in one of two ways. They can be appointed by the governor to serve a term specified by law, or they can be appointed by specified local officials to serve at the officials' pleasure. Under current law, board members are subject to different ethical requirements depending on how the board member is appointed. Though all board members must comply with ethical standards that parallel the standards for state public officials, only those appointed by the governor are subject to the statutory Code of Ethics for Local Public Officials. SECTION 1 requires board members appointed by local officials to comply with the Code of Ethics for Local Public Officials.

INS
5 2-4 →

SECTION 2. 19.43 (4) of the statutes is amended to read:

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2 of economic interests meeting each of the requirements of s. 19.44 (1) no later than
3 4:30 p.m. on the 3rd day following the last day for filing nomination papers for the
4 office which the candidate seeks, or no later than 4:30 p.m. on the next business day
5 after the last day whenever that candidate is granted an extension of time for filing
6 nomination papers or a declaration of candidacy under s. 8.05 (1) (j), 8.10 (2) (a), 8.15
7 (1), or 8.20 (8) (a), no later than 4:30 p.m. on the 5th day after notification of
8 nomination is mailed or personally delivered to the candidate by the municipal clerk
9 in the case of a candidate who is nominated at a caucus, or no later than 4:30 p.m.
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11 the candidate by the appropriate official or agency in the case of a write-in candidate
12 or candidate who is appointed to fill a vacancy in nomination under s. 8.35 (2) (a).
13 The information contained on the statement shall be current as of December 31 of
14 the year preceding the filing deadline. Before certifying the name of any candidate
15 for state public office under s. 7.08 (2) (a), the elections board, county clerk, municipal
16 clerk, or board of election commissioners shall ascertain whether that candidate has
17 complied with this subsection. If not, the elections board, county clerk, municipal
18 clerk, or board of election commissioners may not certify the candidate's name for
19 ballot placement.

(X) NOTE: A candidate for a municipal judgeship must file a statement of economic
interest with the Ethics Board. Current law requires the Elections Board, the municipal
clerk, or the board of election commissioners to ascertain whether the candidate has
complied with this requirement, and prohibits those three bodies from certifying the
candidate's name for ballot placement if the candidate has not complied. Elections for
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the Elections Board, the municipal clerk, or the board of election commissioners. The
county clerk may have that responsibility. SECTION 2 subjects the county clerk to the same
requirements as the Elections Board, the municipal clerk, and the board of election

commissioners: the county clerk must verify compliance and is prohibited from certifying the name of a candidate who fails to comply.

1

(END)

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1052/P2ins2
JTK.....

INS 2A:

Applicability of Code of Ethics for Local Public Officials

Currently, the Code of Ethics for Local Public Officials applies to certain appointive offices and positions of local governments in which the incumbent serves for a specified term. Currently, there is no definition of the term "local government" that can be used to determine precisely the offices and positions to which the code applies. This bill inserts a broad definition that is used elsewhere in the code which clarifies precisely the appointive offices or positions of local governments to which the code applies.

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1052/P2ins
JTK.....

INS 2-4: ✓

SECTION 1. 19.42 (7w) (d) of the statutes is amended to read:

19.42 (7w) (d) An appointive office or position of a local government governmental unit ✓ which is filled by the governing body of the local government governmental unit or the executive or administrative head of the local government governmental unit and in which the incumbent serves at the pleasure of the appointing authority, except a clerical position, a position limited to the exercise of ministerial action or a position filled by an independent contractor.

History: 1973 c. 90; Stats. 1973 s. 11.02; 1973 c. 333; 1973 c. 334 ss. 33, 57; Stats. 1973 s. 19.42; 1977 c. 29, 223, 277; 1977 c. 447 ss. 35, 209; 1979 c. 34, 177, 221; 1981 c. 20, 269, 349, 391; 1983 a. 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 166 ss. 1 to 4, 16; 1983 a. 484, 538; 1985 a. 26; 1985 a. 29 s. 3202 (46); 1985 a. 304; 1987 a. 72, 119; 1987 a. 312 s. 17; 1987 a. 340, 365, 399, 403; 1989 a. 31, 338; 1991 a. 39, 189, 221, 269; 1993 a. 16, 263, 399; 1995 a. 27, 56, 274; 1997 a. 27; 1997 a. 237 ss. 19m, 722q; 1997 a. 298; 1999 a. 42, 65; 2001 a. 16, 104, 109.

Kuesel, Jeffery

From: Zavos, Nicholas
Sent: Wednesday, October 22, 2003 4:44 PM
To: Kuesel, Jeffery
Subject: RE: LRB-1052/2

That seems good to me. Thanks for all your help.

-----Original Message-----

From: Kuesel, Jeffery
Sent: Wednesday, October 22, 2003 2:57 PM
To: Zavos, Nicholas
Subject: RE: LRB-1052/2

Nick,

I would say "Under current law, members of district boards of local exposition districts, local professional football stadium districts and local cultural arts districts, except some or all of the members of district boards of cultural arts districts created by 1st class cities, are subject to the Code of Ethics for Local Public Officials. Section 1 adds those officials to the list of local public officials for ease of reference, and also adds all members of district boards of cultural arts districts created by 1st class cities to the list of those officials."

Jeff

-----Original Message-----

From: Zavos, Nicholas
Sent: Wednesday, October 22, 2003 1:47 PM
To: Kuesel, Jeffery
Subject: RE: LRB-1052/2

Jeff -

What about changing that sentence to a new paragraph: "Under current law members of local exposition districts, local professional football stadium districts and local cultural arts districts are subject to the Code of Ethics for Local Public Officials. Section 1 adds those officials to the list of local public officials for ease of reference."

Nick

-----Original Message-----

From: Kuesel, Jeffery
Sent: Wednesday, October 22, 2003 1:22 PM
To: Zavos, Nicholas
Subject: RE: LRB-1052/2

Nick,

I think the NOTE to SECTION 1 is OK, but actually, the draft only affects some members of baseball park districts (as in /1) and some or all of the members of a cultural arts district board created by a 1st class city. Roth Judd wanted the other boards listed here to save people the trouble of determining coverage by reading other provisions of existing statutes.

I would change the reference in SECTION 2 to "subch. III of ch. 19, stats".

Jeff Kuesel

-----Original Message-----

From: Zavos, Nicholas
Sent: Wednesday, October 22, 2003 11:08 AM
To: Kuesel, Jeffery
Subject: RE: LRB-1052/2

Jeff -

Here is a attempt at some notes for the ethics board draft. Do they seem accurate to you?

ADD to the end of SECTION 1: Section 1 also makes clear that members of local exposition districts, local professional football stadium districts and local cultural arts districts are subject to the Code of Ethics for Local Public Officials.

SECTION 2: The term "local governmental unit" is defined in, and used consistently throughout chapter 19. Section 2 changes the term "local government" to "local governmental unit" in order to avoid any ambiguity over the meaning of the term.

Nick

-----Original Message-----

From: Kuesel, Jeffery
Sent: Wednesday, October 15, 2003 1:29 PM
To: Zavos, Nicholas
Subject: RE: LRB-1052/2

Nick,

The NOTES should probably be updated to reflect the /P2 version re members of district boards of cultural arts districts created by 1st class cities and the definition of "local governmental unit". Do you want me to take a stab at this or would you like to give me something?

Jeff Kuesel

-----Original Message-----

From: Zavos, Nicholas
Sent: Wednesday, October 15, 2003 12:50 PM
To: Kuesel, Jeffery
Subject: LRB-1052/2

Jeff -

Last week the law revision committee approved the ethics board's request for remedial legislation. Could you draft LRB-1052/2 for introduction . Thanks.

Nicholas R. Zavos
Staff Attorney
Wisconsin Legislative Council
(608) 266-1308
nicholas.zavos@legis.state.wi.us



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1052/R 1
JTK:kmg:pg

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Jon. Cat.

1 AN ACT to amend 19.42 (7w) (d) and 19.43 (4); and to create 19.42 (7w) (cs) of
2 the statutes; relating to: coverage of certain members of the district boards of
3 local professional baseball park districts and local cultural arts districts under
4 the Code of Ethics for Local Public Officials, applicability of the Code of Ethics
5 for Local Public Officials to certain positions, and filing of statements of
6 economic interests by candidates for joint municipal judgeships (suggested as
7 remedial legislation by the Ethics Board).

Analysis by the Legislative Reference Bureau

This bill makes one change to the Code of Ethics for State Public Officials and one change to the Code of Ethics for Local Public Officials. The changes are:

Coverage of certain members of baseball park district boards

Currently, the members of the district board of a local professional baseball park district are either appointed by the governor to serve for a term specified by law or appointed by various local elective officials to serve at the pleasure of those officials. Members of a district board who are appointed by the governor are subject to the statutory Code of Ethics for Local Public Officials, which prohibits certain specified conduct that would create a conflict of interest. In addition, all members of a district board are required to adhere to additional standards of conduct that parallel the standards required of state public officials.

Currently, if a local cultural arts district is created by a first class city (currently only Milwaukee), the membership of the district board that governs the district may be structured by the city in such a way that some or all of the members are not subject to the Code of Ethics for Local Public Officials. If a cultural arts district is created by any other city, all members of the district board are subject to the Code of Ethics for Local Public Officials.

This bill requires those members of the district board of a local professional baseball park district who are appointed by local elective officials, as well as all members of the district board of a cultural arts district created by a first class city, to adhere to the same standards of conduct that are currently applicable to other local public officials, including other members of a district board.

Applicability of Code of Ethics for Local Public Officials

Currently, the Code of Ethics for Local Public Officials applies to certain appointive offices and positions of local governments in which the incumbent serves for a specified term. Currently, there is no definition of the term "local government" that can be used to determine precisely the offices and positions to which the code applies. This bill inserts a broad definition that is used elsewhere in the code, which clarifies precisely the appointive offices or positions of local governments to which the code applies.

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This bill prohibits a county clerk from certifying the name of a candidate for the office of municipal judge serving two or more municipalities until the candidate has filed a statement of economic interests containing the required information with the state Ethics Board.

and: space For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Ethics Board and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the

bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 SECTION 1. 19.42 (7w) (cs) of the statutes is created to read:

2 19.42 (7w) (cs) The position of member of a board of directors or district board
3 of a district created under subch. II, III, IV, or V of ch. 229.

NOTE: ^{Under current law,} Members of the board of a local professional baseball park district are appointed in one of two ways. They can be appointed by the governor to serve a term specified by law, or they can be appointed by specified local officials to serve at the officials' pleasure. Under current law, board members are subject to different ethical requirements depending on how the board member is appointed. Though all board members must comply with ethical standards that parallel the standards for state public officials, only those appointed by the governor are subject to the statutory Code of Ethics for Local Public Officials. SECTION 1 requires board members appointed by local officials to comply with the Code of Ethics for Local Public Officials.

FW S 3-3

4 SECTION 2. 19.42 (7w) (d) of the statutes is amended to read:

5 19.42 (7w) (d) An appointive office or position of a local government
6 governmental unit which is filled by the governing body of the local government
7 governmental unit or the executive or administrative head of the local government
8 governmental unit and in which the incumbent serves at the pleasure of the
9 appointing authority, except a clerical position, a position limited to the exercise of
10 ministerial action or a position filled by an independent contractor.

FW S 10
3-11P

11 SECTION 3. 19.43 (4) of the statutes is amended to read:

12 19.43 (4) A candidate for state public office shall file with the board a statement
13 of economic interests meeting each of the requirements of s. 19.44 (1) no later than
14 4:30 p.m. on the 3rd day following the last day for filing nomination papers for the
15 office which the candidate seeks, or no later than 4:30 p.m. on the next business day
16 after the last day whenever that candidate is granted an extension of time for filing
17 nomination papers or a declaration of candidacy under s. 8.05 (1) (j), 8.10 (2) (a), 8.15
18 (1), or 8.20 (8) (a), no later than 4:30 p.m. on the 5th day after notification of
19 nomination is mailed or personally delivered to the candidate by the municipal clerk

1 in the case of a candidate who is nominated at a caucus, or no later than 4:30 p.m.
2 on the 3rd day after notification of nomination is mailed or personally delivered to
3 the candidate by the appropriate official or agency in the case of a write-in candidate
4 or candidate who is appointed to fill a vacancy in nomination under s. 8.35 (2) (a).
5 The information contained on the statement shall be current as of December 31 of
6 the year preceding the filing deadline. Before certifying the name of any candidate
7 for state public office under s. 7.08 (2) (a), the elections board, county clerk, municipal
8 clerk, or board of election commissioners shall ascertain whether that candidate has
9 complied with this subsection. If not, the elections board, county clerk, municipal
10 clerk, or board of election commissioners may not certify the candidate's name for
11 ballot placement.

NOTE: A candidate for a municipal judgeship must file a statement of economic interests with the Ethics Board. Current law requires the Elections Board, the municipal clerk, or the board of election commissioners to ascertain whether the candidate has complied with this requirement, and prohibits those three bodies from certifying the candidate's name for ballot placement if the candidate has not complied. Elections for joint jurisdiction municipal court judges, however, are not necessarily administered by the Elections Board, the municipal clerk, or the board of election commissioners. The county clerk may have that responsibility. SECTION 2 subjects the county clerk to the same requirements as the Elections Board, the municipal clerk, and the board of election commissioners: the county clerk must verify compliance and is prohibited from certifying the name of a candidate who fails to comply.

Kuesel, Jeffery

From: Zavos, Nicholas
Sent: Wednesday, October 22, 2003 4:44 PM
To: Kuesel, Jeffery
Subject: RE: LRB-1052/2

That seems good to me. Thanks for all your help.

-----Original Message-----

From: Kuesel, Jeffery
Sent: Wednesday, October 22, 2003 2:57 PM
To: Zavos, Nicholas
Subject: RE: LRB-1052/2

Nick,

I would say "Under current law, members of district boards of local exposition districts, local professional football stadium districts and local cultural arts districts, except some or all of the members of district boards of cultural arts districts created by 1st class cities, are subject to the Code of Ethics for Local Public Officials. Section 1 adds those officials to the list of local public officials for ease of reference, and also adds all members of district boards of cultural arts districts created by 1st class cities to the list of those officials."

FN 5 3-3 ✓
SECTION 1

Jeff

-----Original Message-----

From: Zavos, Nicholas
Sent: Wednesday, October 22, 2003 1:47 PM
To: Kuesel, Jeffery
Subject: RE: LRB-1052/2

Jeff -

What about changing that sentence to a new paragraph: "Under current law members of local exposition districts, local professional football stadium districts and local cultural arts districts are subject to the Code of Ethics for Local Public Officials. Section 1 adds those officials to the list of local public officials for ease of reference."

Nick

-----Original Message-----

From: Kuesel, Jeffery
Sent: Wednesday, October 22, 2003 1:22 PM
To: Zavos, Nicholas
Subject: RE: LRB-1052/2

Nick,

I think the NOTE to SECTION 1 is OK, but actually, the draft only affects some members of baseball park districts (as in /1) and some or all of the members of a cultural arts district board created by a 1st class city. Roth Judd wanted the other boards listed here to save people the trouble of determining coverage by reading other provisions of existing statutes.

I would change the reference in SECTION 2 to "subch. III of ch. 19, stats".

Jeff Kuesel

-----Original Message-----

From: Zavos, Nicholas
Sent: Wednesday, October 22, 2003 11:08 AM
To: Kuesel, Jeffery
Subject: RE: LRB-1052/2

Jeff -

Here is a attempt at some notes for the ethics board draft. Do they seem accurate to you?

ADD to the end of SECTION 1: Section 1 also makes clear that members of local exposition districts, local professional football stadium districts and local cultural arts districts are subject to the Code of Ethics for Local Public Officials.

ANS 3-10 ✓

NOTE:

SECTION 2: The term "local governmental unit" is defined in, and used consistently throughout, chapter 19. Section 2 changes the term "local government" to "local governmental unit" in order to avoid any ambiguity over the meaning of the term.

CS
SECTION 2

Subch. III
of Ch. 19, Stats.

Nick

-----Original Message-----

From: Kuesel, Jeffery
Sent: Wednesday, October 15, 2003 1:29 PM
To: Zavos, Nicholas
Subject: RE: LRB-1052/2

Nick,

The NOTES should probably be updated to reflect the /P2 version re members of district boards of cultural arts districts created by 1st class cities and the definition of "local governmental unit". Do you want me to take a stab at this or would you like to give me something?

Jeff Kuesel

-----Original Message-----

From: Zavos, Nicholas
Sent: Wednesday, October 15, 2003 12:50 PM
To: Kuesel, Jeffery
Subject: LRB-1052/2

Jeff -

Last week the law revision committee approved the ethics board's request for remedial legislation. Could you draft LRB-1052/2 for introduction . Thanks.

Nicholas R. Zavos
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Wisconsin Legislative Council
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STEPHEN R. MILLER
CHIEF

State of Wisconsin

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LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

October 23, 2003

MEMORANDUM

To: Legislative Council - LRC

From: Jeffery T. Kuesel, Managing Attorney

Re: LRB-1052/1 Ethics code coverage for baseball park district board members;
certification of candidates for municipal judge

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

____ JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-6778 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.