

1           **SECTION 56.** 11.22 (4) of the statutes is amended to read:

2           11.22 (4) Notify the board and the district attorney, or the attorney general  
3           where appropriate under ~~ss. 11.60 (4) and 11.61 (2)~~ s. 5.05 (2m) (i), in writing, of any  
4           facts within the filing officer's knowledge or evidence in the officer's possession,  
5           including errors or discrepancies in reports or statements and delinquencies in filing  
6           which may be grounds for civil action or criminal prosecution. The filing officer shall  
7           transmit a copy of such notification to the board. The board and the district attorney  
8           or the attorney general shall advise the filing officer in writing at the end of each  
9           30-day period of the status of such matter until the time of disposition. ~~The district~~  
10          ~~attorney or attorney general shall transmit a copy of each such notice to the board.~~

11          **SECTION 57.** 11.38 (5) of the statutes is repealed.

12          **SECTION 58.** 11.60 (4) of the statutes is amended to read:

13          11.60 (4) Actions Except as otherwise provided in ss. 5.05 (2m) (c) 15. and 16.  
14          and (h), 5.08, and 5.081, actions under this section arising out of an election for state  
15          office or a statewide referendum may be brought by the board or by the district  
16          attorney of for the county where the defendant resides or, if the defendant is a  
17          nonresident, by the district attorney for the county where the violation is alleged to  
18          have occurred, ~~except as specified in s. 11.38. Actions under this section arising out~~  
19          ~~of an election for local office or a local referendum may be brought by the district~~  
20          ~~attorney of the county where the violation is alleged to have occurred. Actions under~~  
21          ~~this section arising out of an election for county office or a county referendum may~~  
22          ~~be brought by the county board of election commissioners of the county wherein the~~  
23          ~~violation is alleged to have occurred. If a violation concerns a district attorney or~~  
24          ~~circuit judge or candidate for such offices, the action shall be brought by the attorney~~  
25          ~~general. If a violation concerns the attorney general or a candidate for such office,~~

1 ~~the governor may appoint special counsel under s. 14.11 (2) to bring suit in behalf of~~  
2 ~~the state. The counsel shall be independent of the attorney general and need not be~~  
3 ~~a state employee at the time of appointment. For purposes of this subsection, a~~  
4 ~~person other than a natural person resides within a county if the person's principal~~  
5 ~~place of operation is located within that county.~~

6 **SECTION 59.** 11.60 (5) of the statutes is amended to read:

7 11.60 (5) Any elector may file a verified petition with the board, ~~the county~~  
8 ~~board of election commissioners~~ or the appropriate district attorney or with more  
9 than one of them where their authority is concurrent under sub. (4), requesting that  
10 civil action under this chapter be brought against any person, committee or group.  
11 The petition shall allege such facts as are within the knowledge of the petitioner to  
12 show probable cause that a violation of this chapter has occurred.

13 **SECTION 60.** 11.61 (2) of the statutes is amended to read:

14 11.61 (2) Except as otherwise provided in s. 11.38 (5) ss. 5.05 (2m) (c) 15. and  
15 16. and (i), 5.08, and 5.081, all prosecutions under this section shall be conducted by  
16 the district attorney of for the county where the defendant resides or, if the defendant  
17 is a nonresident, by the district attorney for the county where the violation is alleged  
18 to have occurred. ~~If the district attorney refuses to act upon a sworn complaint, or~~  
19 ~~fails to act upon such a complaint within 60 days of the date on which the complaint~~  
20 ~~is received, the attorney general may then conduct the prosecution under this~~  
21 ~~section. If a violation concerns a district attorney or circuit judge or candidate for~~  
22 ~~such offices, the prosecution shall be conducted by the attorney general. If a violation~~  
23 ~~concerns the attorney general or a candidate for such office, the governor may~~  
24 ~~appoint a special prosecutor under s. 14.11 (2) to conduct the prosecution in behalf~~  
25 ~~of the state. The prosecutor shall be independent of the attorney general and need~~

1 ~~not be a state employee at the time of appointment~~ For purposes of this subsection,  
2 a person other than a natural person resides within a county if the person's principal  
3 place of operation is located within that county.

4 **SECTION 61.** 12.13 (5) of the statutes is created to read:

5 12.13 (5) UNAUTHORIZED RELEASE OF RECORDS OR INVESTIGATORY INFORMATION.

6 (a) Except as specifically authorized by law and except as provided in par. (b),  
7 no investigator, prosecutor, employee of an investigator or prosecutor, or member or  
8 employee of the board may disclose information related to an investigation or  
9 prosecution under chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19 or any other  
10 law specified in s. 978.05 (1) or (2) or provide access to any record of the investigator,  
11 prosecutor, or the board that is not subject to access under s. 5.05 (5s) to any person  
12 other than an employee or agent of the prosecutor or investigator or a member,  
13 employee, or agent of the board prior to presentation of the information or record in  
14 a court of law.

15 (b) This subsection does not apply to any of the following communications made  
16 by an investigator, prosecutor, employee of an investigator or prosecutor, or member  
17 or employee of the board:

18 1. Communications made in the normal course of an investigation or  
19 prosecution.

20 2. Communications with a local, state, or federal law enforcement or  
21 prosecutorial authority.

22 3. Communications made to the attorney of an investigator, prosecutor,  
23 employee, or member of the board or to a person or the attorney of a person who is  
24 investigated or prosecuted by the board.

25 **SECTION 62.** 12.60 (1) (bm) of the statutes is created to read:

1           12.60 (1) (bm) Whoever violates s. 12.13 (5) may be fined not more than \$10,000  
2 or imprisoned for not more than 9 months or both.

3           **SECTION 63.** 13.123 (3) (b) 2. of the statutes is amended to read:

4           13.123 (3) (b) 2. In making the determination under subd. 1., the chief clerk is  
5 bound by the determination of the chairperson of the elections government  
6 accountability board or the chairperson's designee if such determination has been  
7 issued.

8           **SECTION 64.** 13.23 of the statutes is amended to read:

9           **13.23 Election contests; notice.** Any person wishing to contest the election  
10 of any senator or member of the assembly shall, within 30 days after the decision of  
11 the board of canvassers, serve a notice in writing on the person whose election the  
12 contestant intends to contest, stating briefly that the election will be contested and  
13 the cause of such contest, and shall file a copy thereof in the office of the elections  
14 government accountability board at least 10 days before the day fixed by law for the  
15 meeting of the legislature. The elections government accountability board shall then  
16 send a copy of s. 13.24 to both contestants. If any contestant fails to so file a copy of  
17 such notice, the contestant shall not be entitled to any mileage or salary in case  
18 payment has been made therefor to the sitting member.

19           **SECTION 65.** 13.62 (4) of the statutes is amended to read:

20           13.62 (4) "Board" means the ethics government accountability board.

21           **SECTION 66.** 13.685 (title) of the statutes is amended to read:

22           **13.685 (title) Duties of the ethics government accountability board.**

23           **SECTION 67.** 13.69 (8) of the statutes is repealed.

24           **SECTION 68.** 13.94 (1) (k) of the statutes is amended to read:

1           13.94 (1) (k) Provide auditing services at the direction of the elections  
2           government accountability board under s. 5.05 (2).

3           **SECTION 69.** 14.58 (20) of the statutes is amended to read:

4           14.58 (20) ELECTION CAMPAIGN FUND. Make disbursements to each candidate  
5           certified under s. 7.08 (2) (c) or (cm) by the ~~elections~~ government accountability board  
6           as eligible to receive moneys from the Wisconsin election campaign fund.

7           **SECTION 70.** 15.07 (1) (a) 2. of the statutes is repealed and recreated to read:

8           15.07 (1) (a) 2. Members of the government accountability board shall be  
9           nominated by the governor, and with the advice and consent of two-thirds of the  
10          members of the senate present and voting shall be appointed, to serve for terms  
11          prescribed by law.

12          **SECTION 71.** 15.07 (1) (cm) of the statutes is amended to read:

13          15.07 (1) (cm) The term of one member of the ~~ethics~~ government accountability  
14          board shall expire on each May 1. The terms of 3 members of the development  
15          finance board appointed under s. 15.155 (1) (a) 6. shall expire on May 1 of every  
16          even-numbered year and the terms of the other 3 members appointed under s.  
17          15.155 (1) (a) 6. shall expire on May 1 of every odd-numbered year. The terms of the  
18          3 members of the land and water conservation board appointed under s. 15.135 (4)  
19          (b) 2. shall expire on January 1. The term of the member of the land and water  
20          conservation board appointed under s. 15.135 (4) (b) 2m. shall expire on May 1 of an  
21          even-numbered year. The terms of members of the real estate board shall expire on  
22          July 1. The terms of the appraiser members of the real estate appraisers board and  
23          the terms of the auctioneer and auction company representative members of the  
24          auctioneer board shall expire on May 1 in an even-numbered year. The terms of the  
25          members of the cemetery board shall expire on July 1 in an even-numbered year.

1 The term of the student member of the Board of Regents of the University of  
2 Wisconsin System who is at least 24 years old shall expire on May 1 of every  
3 even-numbered year.

4 **SECTION 72.** 15.07 (2) (b) of the statutes is created to read:

5 15.07 (2) (b) The chairperson of the governmental accountability board shall  
6 be chosen by lot by the current chairperson of the board at the first meeting of the  
7 board in January of each year.

8 **SECTION 73.** 15.07 (4) of the statutes is amended to read:

9 15.07 (4) QUORUM. A majority of the membership of a board constitutes a  
10 quorum to do business and, unless a more restrictive provision is adopted by the  
11 board, a majority of a quorum may act in any matter within the jurisdiction of the  
12 board. This subsection does not apply to actions of the ethics government  
13 accountability board or the school district boundary appeal board as provided in ss.  
14 19.47(4) 5.05 (1e) and 117.05 (2) (a).

15 **SECTION 74.** 15.07 (5) (k) of the statutes is repealed.

16 **SECTION 75.** 15.07 (5) (m) of the statutes is created to read:

17 15.07 (5) (m) Members of the government accountability board, a per diem  
18 equal to the amount prescribed under s. 753.075 (3) (a) for reserve judges sitting in  
19 circuit court.

20 **SECTION 76.** 15.07 (5) (n) of the statutes is repealed.

21 **SECTION 77.** 15.60 of the statutes is created to read:

22 **15.60 Government accountability board; creation.** (1) There is created  
23 a government accountability board consisting of 6 persons. Members shall serve for  
24 6-year terms.

1           **(2)** All members of the board shall be appointed from nominations submitted  
2 to the governor by a nominating committee to be called the governmental  
3 accountability candidate committee, which shall consist of one court of appeals judge  
4 from each of the court of appeals districts. The members of the committee shall serve  
5 for 2-year terms expiring on March 1. The court of appeals judges shall be chosen  
6 as members by lot by the chief justice of the supreme court in the presence of the other  
7 justices of the supreme court. Service on the committee is mandatory except as  
8 provided in s. 758.19 (9).

9           **(3)** Each member of the board shall be an individual who formerly served as  
10 a judge of a court of record in this state and who was elected to the position in which  
11 he or she served.

12           **(4)** No member may hold another office or position that is a state public office  
13 or a local public office, as defined in s. 19.42, except the office of circuit judge or court  
14 of appeals judge under s. 753.075.

15           **(5)** No member, for one year immediately prior to the date of nomination may  
16 have been, or while serving on the board may become, a member of a political party,  
17 an officer or member of a committee in any partisan political club or organization,  
18 or an officer or employee of a registrant under s. 11.05.

19           **(6)** No member, while serving on the board, may become a candidate, as defined  
20 in s. 11.01 (1), for state office or local office, as defined in s. 5.02.

21           **(7)** No member, while serving on the board, may make a contribution, as  
22 defined in s. 11.01 (6), to a candidate, as defined in s. 11.01 (1) for state office or local  
23 office, as defined in s. 5.02. No individual who serves as a member of the board, for  
24 12 months prior to beginning that service, may have made a contribution, as defined  
25 in s. 11.01 (6), to a candidate for a partisan state or local office, as defined in s. 5.02.

1           (8) No member may be a lobbyist, as defined in s. 13.62 (11), or an employee  
2 of a principal, as defined in s. 13.62 (12), except that a member may serve as a circuit  
3 judge or court of appeals judge under s. 753.075.

4           **SECTION 78.** 15.603 of the statutes is created to read:

5           **15.603 Same; specified divisions. (1) ETHICS AND ACCOUNTABILITY DIVISION.**  
6 There is created in the government accountability board an ethics and accountability  
7 division. The ethics and accountability division shall be under the direction and  
8 supervision of an administrator, who shall be appointed by the board.

9           **(2) ELECTIONS DIVISION.** There is created in the government accountability  
10 board an elections division. The elections division shall be under the direction and  
11 supervision of an administrator, who shall be appointed by the board.

12           **SECTION 79.** 15.61 of the statutes is repealed.

13           **SECTION 80.** 15.617 of the statutes is renumbered 15.607, and 15.607 (1) of the  
14 statutes, as renumbered, is amended to read:

15           **15.607 (1) ELECTION ADMINISTRATION COUNCIL.** There is created in the ~~elections~~  
16 government accountability board an election administration council consisting of  
17 members appointed by the ~~executive director of the elections~~ administrator of the  
18 elections division of the government accountability board, including the clerk or  
19 executive director of the board of election commissioners of the 2 counties or  
20 municipalities in this state having the largest population, one or more election  
21 officials of other counties or municipalities, representatives of organizations that  
22 advocate for the interests of individuals with disabilities and organizations that  
23 advocate for the interests of the voting public, and other electors of this state.

24           **SECTION 81.** 15.62 of the statutes is repealed.

25           **SECTION 82.** 16.753 (2) of the statutes is amended to read:



1           16.753 (2) Except as otherwise expressly provided, each agency shall provide  
2 to the ~~ethics~~ government accountability board for posting on the Internet a list  
3 identifying each solicitation for bids or competitive sealed proposals and each  
4 proposed order or contract of the agency for which bids or competitive sealed  
5 proposals will not be solicited that involves a major expenditure, together with all  
6 information required under sub. (4).

7           **SECTION 83.** 16.79 (2) of the statutes is amended to read:

8           16.79 (2) The department shall distribute in pamphlet form copies of the  
9 constitution and such laws as may be required to meet the public demand, including  
10 the election laws. The department shall distribute election manuals, forms, and  
11 supplies specified by the ~~elections~~ government accountability board. The laws,  
12 manuals, forms, and supplies shall be sold by the department at cost, including  
13 distribution cost as determined under s. 35.80. The ~~elections~~ government  
14 accountability board shall inform the department in writing as to which election  
15 manuals, forms, and supplies shall be offered for distribution under this subsection.

16           **SECTION 84.** 16.96 (3) (b) of the statutes is amended to read:

17           16.96 (3) (b) Maintain and keep current throughout the decade the maps of  
18 congressional and legislative district boundaries received from the legislative  
19 reference bureau under s. 13.92 (1) (a) 6. and provide copies thereof to the ~~elections~~  
20 government accountability board.

21           **SECTION 85.** 16.973 (6) of the statutes is amended to read:

22           16.973 (6) With the advice of the ~~ethics~~ government accountability board, adopt  
23 and enforce standards of ethical conduct applicable to its paid consultants which are  
24 similar to the standards prescribed in subch. III of ch. 19, except that the department  
25 shall not require its paid consultants to file statements of economic interests.

1           **SECTION 86.** 17.17 (1) of the statutes is amended to read:

2           17.17 (1) SENATORS AND MEMBERS OF CONGRESS. In the office of United States  
3 senator or member of congress from this state, by the county clerk of the county  
4 wherein such officer resided at the time of election, to the elections government  
5 accountability board.

6           **SECTION 87.** 17.17 (4) of the statutes is amended to read:

7           17.17 (4) JUSTICES AND JUDGES. In the office of justice of the supreme court, court  
8 of appeals judge, or judge of a circuit court, by the director of state courts to the  
9 governor and the elections government accountability board.

10          **SECTION 88.** 19.42 (3) of the statutes is amended to read:

11          19.42 (3) “Board” means the ethics government accountability board.

12          **SECTION 89.** 19.42 (10) (a) of the statutes is repealed.

13          **SECTION 90.** 19.43 (4) of the statutes is amended to read:

14          19.43 (4) A candidate for state public office shall file with the board a statement  
15 of economic interests meeting each of the requirements of s. 19.44 (1) no later than  
16 4:30 p.m. on the 3rd day following the last day for filing nomination papers for the  
17 office which the candidate seeks, or no later than 4:30 p.m. on the next business day  
18 after the last day whenever that candidate is granted an extension of time for filing  
19 nomination papers or a declaration of candidacy under s. 8.05 (1) (j), 8.10 (2) (a), 8.15  
20 (1), or 8.20 (8) (a), no later than 4:30 p.m. on the 5th day after notification of  
21 nomination is mailed or personally delivered to the candidate by the municipal clerk  
22 in the case of a candidate who is nominated at a caucus, or no later than 4:30 p.m.  
23 on the 3rd day after notification of nomination is mailed or personally delivered to  
24 the candidate by the appropriate official or agency in the case of a write-in candidate  
25 or candidate who is appointed to fill a vacancy in nomination under s. 8.35 (2) (a).

1 The information contained on the statement shall be current as of December 31 of  
2 the year preceding the filing deadline. Before certifying the name of any candidate  
3 for state public office under s. 7.08 (2) (a), the elections government accountability  
4 board, municipal clerk, or board of election commissioners shall ascertain whether  
5 that candidate has complied with this subsection. If not, the elections government  
6 accountability board, municipal clerk, or board of election commissioners may not  
7 certify the candidate's name for ballot placement.

8 **SECTION 91.** 19.43 (5) of the statutes is amended to read:

9 19.43 (5) Each member of the investment board and each employee of the  
10 investment board who is a state public official shall complete and file with the ~~ethics~~  
11 government accountability board a quarterly report of economic transactions no  
12 later than the last day of the month following the end of each calendar quarter during  
13 any portion of which he or she was a member or employee of the investment board.  
14 Such reports of economic transactions shall be in the form prescribed by the ~~ethics~~  
15 government accountability board and shall identify the date and nature of any  
16 purchase, sale, put, call, option, lease, or creation, dissolution, or modification of any  
17 economic interest made during the quarter for which the report is filed and  
18 disclosure of which would be required by s. 19.44 if a statement of economic interests  
19 were being filed.

20 **SECTION 92.** 19.45 (6) of the statutes is amended to read:

21 19.45 (6) No state public official, member of a state public official's immediate  
22 family, nor any organization with which the state public official or a member of the  
23 official's immediate family owns or controls at least 10% of the outstanding equity,  
24 voting rights, or outstanding indebtedness may enter into any contract or lease  
25 involving a payment or payments of more than \$3,000 within a 12-month period, in

1 whole or in part derived from state funds, unless the state public official has first  
2 made written disclosure of the nature and extent of such relationship or interest to  
3 the board and to the department acting for the state in regard to such contract or  
4 lease. Any contract or lease entered into in violation of this subsection may be voided  
5 by the state in an action commenced within 3 years of the date on which the ethics  
6 board, or the department or officer acting for the state in regard to the allocation of  
7 state funds from which such payment is derived, knew or should have known that  
8 a violation of this subsection had occurred. This subsection does not affect the  
9 application of s. 946.13.

10 **SECTION 93.** 19.46 (1) (intro.) of the statutes is amended to read:

11 19.46 (1) (intro.) Except in accordance with the board's advice under sub. (2)  
12 s. 5.05 (6a) and except as otherwise provided in sub. (3), no state public official may:

13 **SECTION 94.** 19.46 (2) of the statutes is renumbered 5.05 (6a) and amended to  
14 read:

15 5.05 (6a) ADVISORY OPINIONS. Any individual, either personally or on behalf of  
16 an organization or governmental body, may make a written or electronic request of  
17 the board for an advisory opinion regarding the propriety under chs. 5 to 12, subch.  
18 III of ch. 13, or subch. III of ch. 19 of any matter to which the person is or may become  
19 a party; and any appointing officer, with the consent of a prospective appointee, may  
20 request of the board an advisory opinion regarding the propriety under chs. 5 to 12,  
21 subch. III of ch. 13, or subch. III of ch. 19 of any matter to which the prospective  
22 appointee is or may become a party. The board shall review a request for an advisory  
23 opinion and may advise issue a formal written or electronic advisory opinion to the  
24 person making the request. Advisory opinions and requests therefor shall be in  
25 writing. The Except as authorized or required for opinions specified in sub. (5s) (f)

1     ~~2., the board's deliberations and actions upon such requests shall be in meetings not~~  
2     ~~open to the public. It is prima facie evidence of intent to comply with this subchapter~~  
3     ~~or subch. III of ch. 13 when a person refers a matter to the board and abides by the~~  
4     ~~board's advisory opinion~~ No person acting in good faith upon an advisory opinion  
5     ~~issued by the board is subject to criminal or civil prosecution for so acting, if the~~  
6     ~~material facts are as stated in the opinion request. To have legal force and effect, each~~  
7     ~~advisory opinion issued by the board must be supported by specific legal authority~~  
8     ~~under a statute or other law, or by specific case or common law authority. Each~~  
9     ~~advisory opinion shall include a citation to each statute or other law and each case~~  
10    ~~or common law authority upon which the opinion is based, and shall specifically~~  
11    ~~articulate or explain which parts of the cited authority are relevant to the board's~~  
12    ~~conclusion and why they are relevant. The board may authorize the executive~~  
13    ~~director its legal counsel to act in its stead in instances where delay is of substantial~~  
14    ~~inconvenience or detriment to the requesting party. No issue an informal written~~  
15    ~~advisory opinion or to transmit an informal advisory opinion electronically on behalf~~  
16    ~~of the board, subject to such limitations as the board deems appropriate. Every~~  
17    ~~informal advisory opinion shall be consistent with applicable formal advisory~~  
18    ~~opinions issued by the board. If the board disagrees with an informal advisory~~  
19    ~~opinion that has been issued on behalf of the board, the board may withdraw the~~  
20    ~~opinion or issue a revised advisory opinion and no person acting after the date of the~~  
21    ~~withdrawal or issuance of the revised advisory opinion is exempted from prosecution~~  
22    ~~under this subsection if the opinion upon which the person's action is based has been~~  
23    ~~withdrawn or revised in relevant degree. Except as authorized or required under~~  
24    ~~sub. (5s) (f) 2., no member or employee of the board may make public the identity of~~  
25    ~~the individual requesting an a formal or informal advisory opinion or of individuals~~

1 or organizations mentioned in the opinion. Any person receiving a formal or informal  
2 advisory opinion under this subsection who disagrees with the opinion may request  
3 a public or private hearing before the board to discuss the opinion. The board shall  
4 grant a request for a public or private hearing under this subsection. After hearing  
5 the matter, the board may reconsider its opinion and may issue a revised opinion to  
6 the person. Promptly upon issuance of each formal advisory opinion that is not open  
7 to public access, the board shall publish a summary of the opinion that is consistent  
8 with applicable requirements under sub. (5s) (f).

9 **SECTION 95.** 19.47 (title) of the statutes is repealed and recreated to read:

10 **19.47 (title) Statements of economic interests.**

11 **SECTION 96.** 19.47 (1) and (2) of the statutes are repealed.

12 **SECTION 97.** 19.47 (3) of the statutes is renumbered 19.47.

13 **SECTION 98.** 19.47 (4) of the statutes is repealed.

14 **SECTION 99.** 19.47 (5) of the statutes is renumbered 5.05 (5e) and amended to  
15 read:

16 5.05 (5e) BIENNIAL REPORT. ~~No later than September 1 of each year, the board~~  
17 ~~shall submit a report concerning its actions in the preceding fiscal year to the~~  
18 ~~governor and the chief clerk of each house of the legislature, for distribution to the~~  
19 ~~legislature under s. 13.172 (2). Such~~ The board shall include in its biennial report  
20 shall contain under s. 15.04 (1) (d) the names and duties of all individuals employed  
21 by the board and a summary of its determinations and advisory opinions. The issued  
22 under sub. (6a). Except as authorized or required under sub. (5s) (f) 2., the board  
23 shall make sufficient alterations in the summaries to prevent disclosing the  
24 identities of individuals or organizations involved in the decisions or opinions. The  
25 board may also include in its biennial report any information compiled under s. 11.21

1     (7). The board shall make such further reports on the matters within its jurisdiction  
2     and such recommendations for further legislation as it deems desirable.

3             **SECTION 100.** 19.47 (6) of the statutes is renumbered 5.05 (5f).

4             **SECTION 101.** 19.49 (title) of the statutes is repealed.

5             **SECTION 102.** 19.49 (1) of the statutes is repealed.

6             **SECTION 103.** 19.49 (1m) of the statutes is renumbered 5.05 (2m) (c) 2. b.

7             **SECTION 104.** 19.49 (2) of the statutes is renumbered 5.05 (2m) (c) 3. and  
8     amended to read:

9             5.05 **(2m)** (c) 3. Any person to whom ~~this subchapter or subch. III of ch. 13 or~~  
10     ~~subch. III of ch. 19~~ may have application may request the board to make an  
11     investigation of his or her own conduct or of allegations made by other persons as to  
12     his or her conduct. Such a request shall be made in writing and shall set forth in  
13     detail the reasons therefor.

14             **SECTION 105.** 19.49 (3) of the statutes is repealed.

15             **SECTION 106.** 19.49 (4) of the statutes is repealed.

16             **SECTION 107.** 19.49 (5) of the statutes is renumbered 5.05 (2m) (g) and amended  
17     to read:

18             5.05 **(2m)** (g) 1. Except as provided in ~~par. (b) subd. 2.~~, no action may be taken  
19     on any complaint that is filed later than 3 years after a violation of ~~this subchapter~~  
20     ~~or subch. III of ch. 13 or subch. III of ch. 19~~ is alleged to have occurred.

21             2. The period of limitation under ~~par. (a) subd. 1.~~ is tolled for a complaint  
22     alleging a violation of s. 19.45 (13) or 19.59 (1) (br) for the period during which such  
23     a complaint may not be filed under ~~s. 19.49 (1m) par. (c) 2. b.~~ or s. 19.59 (8) (cm).

24             **SECTION 108.** 19.50 (title) of the statutes is repealed.

1           **SECTION 109.** 19.50 (intro.) and (1) of the statutes are renumbered 5.05 (2m)  
2 (f) (intro.) and 1. and amended to read:

3           **5.05 (2m)** (f) (intro.) Pursuant to any investigation authorized under ~~s. 19.49~~  
4 ~~(3) or any hearing conducted under this subchapter or subch. III of ch. 13 par. (c)~~, the  
5 board has the power:

6           1. To require any person to submit in writing such reports and answers to  
7 questions relevant to the proceedings ~~conducted under this subchapter or subch. III~~  
8 ~~of ch. 13~~ as the board may prescribe, such submission to be made within such period  
9 and under oath or otherwise as the board may determine.

10           **SECTION 110.** 19.50 (2) of the statutes is repealed.

11           **SECTION 111.** 19.50 (3) of the statutes is renumbered 5.05 (2m) (f) 2. and  
12 amended to read:

13           **5.05 (2m)** (f) 2. To order testimony to be taken by deposition before any  
14 individual who is designated by the board and has the power to administer oaths,  
15 and, in such instances, to compel testimony and the production of evidence in the  
16 same manner as authorized by sub. ~~(2)~~ (1) (b).

17           **SECTION 112.** 19.50 (4) and (5) of the statutes are renumbered 5.05 (2m) (f) 4.  
18 and 5.

19           **SECTION 113.** 19.51 (title) of the statutes is repealed.

20           **SECTION 114.** 19.51 (1) (intro.) of the statutes is renumbered 5.05 (2m) (c) 9. and  
21 amended to read:

22           **5.05 (2m)** (c) 9. At the conclusion of its investigation, the board shall, in  
23 preliminary written findings of fact and conclusions based thereon, make a  
24 determination of whether or not probable cause exists to believe that a violation of  
25 ~~this subchapter or subch. III of ch. 13~~ under subd. 2. has occurred or is occurring.



1 If the board determines that no probable cause exists, it shall dismiss the complaint.  
2 Whenever the board dismisses a complaint or a complaint is deemed to be dismissed  
3 under subd. 5., the board shall immediately send written notice of such  
4 determination the dismissal to the accused and to the party who made the complaint.  
5 ~~If the board determines that there is probable cause for believing that a violation of~~  
6 ~~this subchapter or subch. III of ch. 13 has been committed, its preliminary findings~~  
7 ~~of fact and conclusions may contain:~~

8 **SECTION 115.** 19.51 (1) (a) and (b) of the statutes are repealed.

9 **SECTION 116.** 19.51 (2) of the statutes is renumbered 5.05 (2m) (c) 10.

10 **SECTION 117.** 19.51 (3) of the statutes is repealed.

11 **SECTION 118.** 19.52 of the statutes is repealed.

12 **SECTION 119.** 19.53 (intro.) of the statutes is repealed.

13 **SECTION 120.** 19.53 (1) to (5) of the statutes are repealed.

14 **SECTION 121.** 19.53 (6) of the statutes is renumbered 19.579 (1) and amended  
15 to read:

16 19.579 (1) ~~An order requiring the accused~~ Except as provided in sub. (2), any  
17 person who violates this subchapter may be required to forfeit not more than \$500  
18 for each violation of s. 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each  
19 violation of any other provision of this subchapter, ~~or not more than the applicable~~  
20 ~~amount specified in s. 13.69 for each violation of subch. III of ch. 13.~~ If the ~~board~~ court  
21 determines that the accused has realized economic gain as a result of the violation,  
22 the ~~board~~ court may, in addition, order the accused to forfeit the amount gained as  
23 a result of the violation. In addition, if the ~~board~~ court determines that a state public  
24 official has violated s. 19.45 (13), the ~~board~~ court may order the official to forfeit an  
25 amount equal to the amount or value of any political contribution, service, or other

1 thing of value that was wrongfully obtained. If the ~~board~~ court determines that a  
2 state public official has violated s. 19.45 (13) and no political contribution, service or  
3 other thing of value was obtained, the ~~board~~ court may order the official to forfeit an  
4 amount equal to the maximum contribution authorized under s. 11.26 (1) for the  
5 office held or sought by the official, whichever amount is greater. The attorney  
6 general, when so requested by the board, shall institute proceedings to recover any  
7 forfeiture incurred under this section ~~or s. 19.545~~ which is not paid by the person  
8 against whom it is assessed.

9 **SECTION 122.** 19.53 (7) and (8) of the statutes are repealed.

10 **SECTION 123.** 19.535 of the statutes is repealed.

11 **SECTION 124.** 19.54 of the statutes is repealed.

12 **SECTION 125.** 19.545 of the statutes is repealed.

13 **SECTION 126.** 19.55 (1) of the statutes is amended to read:

14 19.55 (1) Except as provided in sub. (2) and s. 5.05 (5s), all records under this  
15 subchapter or subch. III of ch. 13 in the possession of the board are open to public  
16 inspection at all reasonable times. The board shall require an individual wishing to  
17 examine a statement of economic interests or the list of persons who inspect any  
18 statements which are in the board's possession to provide his or her full name and  
19 address, and if the individual is representing another person, the full name and  
20 address of the person which he or she represents. Such identification may be  
21 provided in writing or in person. The board shall record and retain for at least 3 years  
22 information obtained by it pursuant to this subsection. No individual may use a  
23 fictitious name or address or fail to identify a principal in making any request for  
24 inspection.

1           **SECTION 127.** 19.55 (2) (a) of the statutes is renumbered 5.05 (5s) (f) 1. and  
2 amended to read:

3           5.05 (5s) (f) 1. Records Except as authorized or required under subd. 2., records  
4 obtained in connection with a request for an advisory opinion issued under s. 5.05  
5 (6a), other than summaries of advisory opinions that do not disclose the identity of  
6 individuals requesting such opinions or organizations on whose behalf they are  
7 requested, are not subject to the right of inspection and copying under s. 19.35 (1).  
8 Except as authorized or required under subd. 2., the board shall make sufficient  
9 alterations in the summaries to prevent disclosing the identities of individuals or  
10 organizations involved in the opinions.

11           2. a. The board may, ~~however,~~ make such records under subd. 1. public with the  
12 consent of the individual requesting the advisory opinion or the organization or  
13 governmental body on whose behalf it is requested.

14           b. A person who makes or purports to make public the substance of or any  
15 portion of an advisory opinion requested by or on behalf of the person is deemed to  
16 have waived the confidentiality of the request for an advisory opinion and of any  
17 records obtained or prepared by the board in connection with the request for an  
18 advisory opinion.

19           **SECTION 128.** 19.55 (2) (b) of the statutes is renumbered 5.05 (5s) (intro.) and  
20 amended to read:

21           5.05 (5s) (intro.) Records obtained or prepared by the board in connection with  
22 an investigation, including the full text of any complaint received by the board, are  
23 not subject to the right of inspection and copying under s. 19.35 (1), except as  
24 provided in pars. (d) and (e) and except that the:

1           (a) ~~The board shall permit inspection of records that are made public~~  
2 ~~distributed or discussed in the course of a meeting or hearing by the board to~~  
3 ~~determine if a violation of this subchapter or subch. III of ch. 13 has occurred.~~  
4 ~~Whenever the board refers such investigation and hearing records to a district~~  
5 ~~attorney or to the attorney general, they in open session.~~

6           (b) Investigatory records of the board may be made public in the course of a  
7 prosecution initiated under ~~this subchapter chs. 5 to 12, subch. III of ch. 13, or subch.~~  
8 III of ch. 19.

9           (c) The board shall also provide information from investigation and hearing  
10 records that pertains to the location of individuals and assets of individuals as  
11 requested under s. 49.22 (2m) by the department of workforce development or by a  
12 county child support agency under s. 59.53 (5).

13           **SECTION 129.** 19.55 (2) (c) of the statutes is amended to read:

14           19.55 (2) (c) Statements of economic interests and reports of economic  
15 transactions which are filed with the ethics government accountability board by  
16 members or employees of the investment board, except that the ethics government  
17 accountability board shall refer statements and reports filed by such individuals to  
18 the legislative audit bureau for its review, and except that a statement of economic  
19 interests filed by a member or employee of the investment board who is also an  
20 official required to file shall be open to public inspection.

21           **SECTION 130.** 19.579 (title) of the statutes is amended to read:

22           **19.579** (title) **Civil penalty penalties.**

23           **SECTION 131.** 19.579 of the statutes is renumbered 19.579 (2).

24           **SECTION 132.** 19.59 (1) (g) 8. of the statutes is amended to read:

1           19.59 (1) (g) 8. No district board member, member of a district board member's  
2 immediate family, nor any organization with which the district board member or a  
3 member of the district board member's immediate family owns or controls at least  
4 10% of the outstanding equity, voting rights, or outstanding indebtedness may enter  
5 into any contract or lease involving a payment or payments of more than \$3,000  
6 within a 12-month period, in whole or in part derived from district funds unless the  
7 district board member has first made written disclosure of the nature and extent of  
8 such relationship or interest to the ethics government accountability board and to  
9 the district. Any contract or lease entered into in violation of this subdivision may  
10 be voided by the district in an action commenced within 3 years of the date on which  
11 the ethics government accountability board, or the district, knew or should have  
12 known that a violation of this subdivision had occurred. This subdivision does not  
13 affect the application of s. 946.13.

14           **SECTION 133.** 19.85 (1) (h) of the statutes is amended to read:

15           19.85 (1) (h) Consideration of requests for confidential written advice from the  
16 ethics government accountability board under s. ~~19.46 (2)~~ 5.05 (6a), or from any  
17 county or municipal ethics board under s. 19.59 (5).

18           **SECTION 134.** 19.851 of the statutes is created to read:

19           **19.851 Closed sessions by government accountability board.** The  
20 government accountability board shall hold each meeting of the board for the  
21 purpose of deliberating concerning an investigation of any violation of the law under  
22 the jurisdiction of the ethics and accountability division of the board in closed session  
23 under this section. Prior to convening under this section, the government  
24 accountability board shall vote to convene in closed session in the manner provided  
25 in s. 19.85 (1). No business may be conducted by the government accountability

1 board at any closed session under this section except that which relates to the  
2 purposes of the session as authorized in this section or as authorized in s. 19.85 (1).

3 **SECTION 135.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
4 insert the following amounts for the purposes indicated:

5 **2007-08**      **2008-09**

6 **20.511 Government accountability board**

7 (1) ADMINISTRATION OF ELECTIONS, ETHICS, AND

8 LOBBYING LAWS

9 (h) Materials and services                      PR      A              35,200              35,200

10 (i) General program operations;

11 program revenue                                      PR      A              448,700              448,700

12 **SECTION 136.** 20.005 (3) (schedule) 20.511 of the statutes is repealed and  
13 recreated to read:

14 **2007-08**      **2008-09**

15 **20.511 Government accountability board**

16 (1) ADMINISTRATION OF ELECTIONS, ETHICS, AND

17 LOBBYING LAWS

18 (a) General program operations;

19 general purpose revenue                              GPR      B              1,338,200              1,340,300

20 **SECTION 137.** 20.455 (1) (b) of the statutes is amended to read:

21 20.455 (1) (b) *Special counsel.* A sum sufficient, subject to the procedure  
22 procedures established in ~~s.~~ ss. 5.05 (2m) (c) and 14.11 (2) (c), for the compensation  
23 of special counsel appointed as provided in ss. 5.05 (2m) (c) and 14.11 (2) and 21.13.

- 1           **SECTION 138.** 20.510 (intro.) of the statutes is repealed.
- 2           **SECTION 139.** 20.510 (1) (title) of the statutes is repealed.
- 3           **SECTION 140.** 20.510 (1) (a) of the statutes is repealed.
- 4           **SECTION 141.** 20.510 (1) (b) of the statutes is renumbered 20.511 (1) (b).
- 5           **SECTION 142.** 20.510 (1) (bm) of the statutes is renumbered 20.511 (1) (bm).
- 6           **SECTION 143.** 20.510 (1) (c) of the statutes is renumbered 20.511 (1) (c).
- 7           **SECTION 144.** 20.510 (1) (d) of the statutes is renumbered 20.511 (1) (d).
- 8           **SECTION 145.** 20.510 (1) (g) of the statutes is renumbered 20.511 (1) (g).
- 9           **SECTION 146.** 20.510 (1) (gm) of the statutes is repealed.
- 10          **SECTION 147.** 20.510 (1) (h) of the statutes is repealed.
- 11          **SECTION 148.** 20.510 (1) (i) of the statutes is repealed.
- 12          **SECTION 149.** 20.510 (1) (j) of the statutes is renumbered 20.511 (1) (j).
- 13          **SECTION 150.** 20.510 (1) (q) of the statutes is renumbered 20.511 (1) (q).
- 14          **SECTION 151.** 20.510 (1) (t) of the statutes is renumbered 20.511 (1) (t).
- 15          **SECTION 152.** 20.510 (1) (x) of the statutes is renumbered 20.511 (1) (x).
- 16          **SECTION 153.** 20.511 (intro.) and (1) (title) and (a) of the statutes are created  
17 to read.

18           **20.511 Government accountability board.** (intro.) There is appropriated  
19 from the general fund, except where otherwise indicated, to the government  
20 accountability board for the following programs:

21           (1) (title) ADMINISTRATION OF ELECTION, ETHICS, AND LOBBYING LAWS.

22           (a) *General program operations; general purpose revenue.* Biennially, the  
23 amounts in the schedule for general program operations of the board, including the  
24 printing of forms, materials, manuals, and election laws under ss. 7.08 (1) (b), (3), and  
25 (4) and 11.21 (3) and (14), and the training of election officials under s. 5.05 (7).

1           **SECTION 154.** 20.511 (1) (c) of the statutes, as affected by 2007 Wisconsin Act  
2 .... (this act), is repealed.

3           **SECTION 155.** 20.511 (1) (h) and (i) of the statutes are created to read:

4           20.511 (1) (h) *Materials and services.* The amounts in the schedule for the costs  
5 of publishing documents, locating and copying records, and conducting programs  
6 under s. 19.48 (9) and administrative meetings and conferences, for compiling,  
7 disseminating, and making available information prepared by and filed with the  
8 board under s. 19.48 (10), and for supplies, postage, and shipping. All moneys  
9 received by the board from collections for sales of publications, copies of records, and  
10 supplies, for postage, for shipping and records location fees, from fees assessed under  
11 s. 19.48 (9) and (10), and for charges assessed to participants in administrative  
12 meetings and conferences shall be credited to this appropriation account.

13           (i) *General program operations; program revenue.* The amounts in the schedule  
14 for general program operations of the board. All moneys received from fees imposed  
15 under ss. 11.055 (1) and 13.75 shall be credited to this appropriation account.

16           **SECTION 156.** 20.521 (intro.) of the statutes is repealed.

17           **SECTION 157.** 20.521 (1) (title) of the statutes is repealed.

18           **SECTION 158.** 20.521 (1) (a) of the statutes is repealed.

19           **SECTION 159.** 20.521 (1) (b) of the statutes is renumbered 20.511 (1) (be) and  
20 amended to read:

21           20.511 (1) (be) ~~*Code of ethics investigations*~~ *Investigations.* Biennially, the  
22 amounts in the schedule A sum sufficient for the purpose of financing the costs of  
23 investigations authorized by the board of potential violations of ~~the code of ethics for~~  
24 ~~state public officials and employees under chs. 5 to 12, subch. III of ch. 13, and subch.~~  
25 III of ch. 19.



1           **SECTION 160.** 20.521 (1) (g) of the statutes is repealed.

2           **SECTION 161.** 20.521 (1) (h) of the statutes is renumbered 20.511 (1) (jm) and  
3 amended to read:

4           20.511 (1) (jm) *Gifts and grants.* All moneys received by the board from gifts,  
5 grants, and bequests ~~and devises~~ to carry out the purposes, not inconsistent with  
6 ~~subch. III of ch. 13 or subch. III of ch. 19~~ the law, for which made or received.

7           **SECTION 162.** 20.521 (1) (i) of the statutes is repealed.

8           **SECTION 163.** 20.923 (4) (d) 3. of the statutes is repealed.

9           **SECTION 164.** 20.923 (4) (d) 4. of the statutes is repealed.

10          **SECTION 165.** 20.923 (4) (f) 3j. of the statutes is created to read:

11          20.923 (4) (f) 3j. Government accountability board: legal counsel.

12          **SECTION 166.** 20.930 of the statutes is amended to read:

13          **20.930 Attorney fees.** Except as provided in ss. 5.05 (2m) (c) 7., 46.27 (7g) (h),  
14 49.496 (3) (f) and 49.682 (6), no state agency in the executive branch may employ any  
15 attorney until such employment has been approved by the governor.

16          **SECTION 167.** 46.95 (4) of the statutes is amended to read:

17          46.95 (4) LIST OF ELIGIBLE ORGANIZATIONS. The department shall certify to the  
18 ~~elections~~ government accountability board, on a continuous basis, a list containing  
19 the name and address of each organization that is eligible to receive grants under  
20 sub. (2).

21          **SECTION 168.** 59.605 (3) (a) 3. of the statutes is amended to read:

22          59.605 (3) (a) 3. The referendum shall be held in accordance with chs. 5 to 12.  
23 The governing body shall provide the election officials with all necessary election  
24 supplies. The form of the ballot shall correspond substantially with the standard  
25 form for referendum ballots prescribed by the elections government accountability

1 board under ss. 5.64 (2) and 7.08 (1) (a). If the resolution under subd. 1. specifies the  
2 operating levy rate, the question shall be submitted as follows: “Under state law, the  
3 operating levy rate for the .... (name of county), for the tax to be imposed for the year  
4 .... (year), is limited to \$.... per \$1,000 of equalized value. Shall the .... (name of  
5 county) be allowed to exceed this rate limit for .... (a specified number of years) (an  
6 indefinite period) by \$.... per \$1,000 of equalized value that results in an operating  
7 levy rate of \$.... per \$1,000 of equalized value?” If the resolution under subd. 1.  
8 specifies the operating levy, the question shall be submitted as follows: “Under state  
9 law, the operating levy rate for the .... (name of county), for the tax to be imposed for  
10 the year .... (year), is limited to \$.... per \$1,000 of equalized value. Notwithstanding  
11 the operating levy rate limit, shall the .... (name of county) be allowed to levy an  
12 amount not to exceed \$.... (operating levy) for operating purposes for the year ....  
13 (year), which may increase the operating levy rate for .... (a specified number of  
14 years) (an indefinite period)? This would allow a ....% increase above the levy of \$....  
15 (preceding year operating levy) for the year .... (preceding year).”

16 **SECTION 169.** 67.05 (3) (b) of the statutes is amended to read:

17 67.05 (3) (b) The clerk of the jurisdiction in which the referendum is held shall  
18 prepare or arrange for the preparation of the ballots. If the jurisdiction in which the  
19 referendum is held is not a city, village, or town, and the clerk of the jurisdiction in  
20 which the referendum is held prepares the ballots, the clerk shall deliver the ballots  
21 to the municipal clerk of each city, village, or town which is wholly or partly contained  
22 within the jurisdiction in which the referendum is held. The form of the ballot shall  
23 correspond with the form prescribed by the ~~elections~~ government accountability  
24 board under ss. 5.64 (2) and 7.08 (1) (a).

25 **SECTION 170.** 67.05 (6) of the statutes is amended to read:

1           67.05 (6) REFERENDUM IN OTHER CASES. Whenever an initial resolution has been  
2 adopted by the governing body of any municipality other than a county, a town, a city,  
3 a village, a technical college district, a metropolitan sewerage district created under  
4 ss. 200.01 to 200.15 or 200.21 to 200.65, a town sanitary district, a public inland lake  
5 protection and rehabilitation district, or a board of park commissioners, the clerk of  
6 such municipality shall immediately record the resolution and call a special meeting  
7 for the purpose of submitting it to the electors of the municipality for ratification or  
8 rejection. The calling and conduct of the meeting shall be governed by those statutes,  
9 so far as applicable, which govern the calling and conduct of special meetings in  
10 general. The notice of the meeting, which shall be publicly read before the balloting  
11 shall commence, and the ballot used, shall embody a copy of the resolution; the form  
12 of the ballot shall correspond with the form prescribed by the ~~elections~~ government  
13 accountability board under ss. 5.64 (2) and 7.08 (1) (a); and the question submitted  
14 shall be whether the resolution shall be approved.

15           **SECTION 171.** 71.10 (3) (b) of the statutes is amended to read:

16           71.10 (3) (b) The secretary of revenue shall provide a place for those  
17 designations on the face of the individual income tax return and shall provide next  
18 to that place a statement that a designation will not increase tax liability. Annually  
19 on August 15, the secretary of revenue shall certify to the ~~elections~~ government  
20 accountability board, the department of administration and the state treasurer  
21 under s. 11.50 the total amount of designations made during the preceding fiscal  
22 year. If any individual attempts to place any condition or restriction upon a  
23 designation, that individual is deemed not to have made a designation on his or her  
24 tax return.

25           **SECTION 172.** 73.0301 (1) (d) 13. of the statutes is amended to read:

1           73.0301 (1) (d) 13. A license issued by the ethics government accountability  
2 board under s. 13.63 (1).

3           **SECTION 173.** 73.0301 (1) (e) of the statutes is amended to read:

4           73.0301 (1) (e) “Licensing department” means the department of  
5 administration; the board of commissioners of public lands; the department of  
6 commerce; the ethics government accountability board; the department of financial  
7 institutions; the department of health and family services; the department of natural  
8 resources; the department of public instruction; the department of regulation and  
9 licensing; the department of workforce development; the office of the commissioner  
10 of insurance; or the department of transportation.

11           **SECTION 174.** 85.61 (1) of the statutes is amended to read:

12           85.61 (1) The secretary of transportation and the ~~executive director~~  
13 administrator of the elections division of the elections government accountability  
14 board shall enter into an agreement to match personally identifiable information on  
15 the official registration list maintained by the elections government accountability  
16 board under s. 6.36 (1) with personally identifiable information in the operating  
17 record file database under ch. 343 and vehicle registration records under ch. 341 to  
18 the extent required to enable the secretary of transportation and the ~~executive~~  
19 ~~director~~ administrator of the elections division of the elections government  
20 accountability board to verify the accuracy of the information provided for the  
21 purpose of voter registration.

22           **SECTION 175.** 117.20 (2) of the statutes is amended to read:

23           117.20 (2) The clerk of each affected school district shall publish notice, as  
24 required under s. 8.55, in the territory of that school district. The procedures for  
25 school board elections under s. 120.06 (9), (11), (13), and (14) apply to a referendum

1 held under this section. The school board and school district clerk of each affected  
2 school district shall each perform, for that school district, the functions assigned to  
3 the school board and the school district clerk, respectively, under those subsections.  
4 The form of the ballot shall correspond to the form prescribed by the ~~elections~~  
5 government accountability board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each  
6 affected school district shall file with the secretary of the board a certified statement  
7 prepared by the school district board of canvassers of the results of the referendum  
8 in that school district.

9 **SECTION 176.** 117.27 (2) (b) (intro.) of the statutes is amended to read:

10 117.27 (2) (b) (intro.) The school district clerk shall include in the notice of the  
11 spring election a statement that the election ballot will include a question on the  
12 change requested by the petition. The form of the ballot shall correspond to the form  
13 prescribed by the ~~elections~~ government accountability board under ss. 5.64 (2) and  
14 7.08 (1) (a) and the question on the ballot shall be:

15 **SECTION 177.** 121.91 (3) (c) of the statutes is amended to read:

16 121.91 (3) (c) The referendum shall be held in accordance with chs. 5 to 12. The  
17 school district clerk shall provide the election officials with all necessary election  
18 supplies. The form of the ballot shall correspond substantially with the standard  
19 form for referendum ballots prescribed by the ~~elections~~ government accountability  
20 board under ss. 5.64 (2) and 7.08 (1) (a). The question submitted shall be whether  
21 the limit under sub. (2m) may be exceeded by a specified amount. If the resolution  
22 provides that any of the excess revenue will be used for a nonrecurring purpose, the  
23 ballot in the election shall so state and shall specify the amount that will be used for  
24 a nonrecurring purpose. The limit otherwise applicable to the school district under

1 sub. (2m) is increased by the amount approved by a majority of those voting on the  
2 question.

3 **SECTION 178.** 125.05 (1) (b) 10. of the statutes is amended to read:

4 125.05 (1) (b) 10. Each question submitted to the electors shall conform to the  
5 form prescribed by the elections government accountability board under ss. 5.64 (2)  
6 and 7.08 (1) (a).

7 **SECTION 179.** 165.25 (1) of the statutes is amended to read:

8 165.25 (1) REPRESENT STATE IN APPEALS AND ON REMAND. Except as provided in  
9 s. ss. 5.05 (2m) (a) and 978.05 (5), appear for the state and prosecute or defend all  
10 actions and proceedings, civil or criminal, in the court of appeals and the supreme  
11 court, in which the state is interested or a party, and attend to and prosecute or  
12 defend all civil cases sent or remanded to any circuit court in which the state is a  
13 party; and, if. Nothing in this subsection deprives or relieves the attorney general  
14 or the department of justice of any authority or duty under this chapter.

15 **(1m)** REPRESENT STATE IN OTHER MATTERS. If requested by the governor or either  
16 house of the legislature, appear for and represent the state, any state department,  
17 agency, official, employee or agent, whether required to appear as a party or witness  
18 in any civil or criminal matter, and prosecute or defend in any court or before any  
19 officer, any cause or matter, civil or criminal, in which the state or the people of this  
20 state may be interested. The public service commission may request under s.  
21 196.497 (7) that the attorney general intervene in federal proceedings. All expenses  
22 of the proceedings shall be paid from the appropriation under s. 20.455 (1) (d).

23 **SECTION 180.** 165.25 (3r) of the statutes is amended to read:

24 165.25 (3r) AVOID CONFLICT OF INTEREST. Require that attorneys in different  
25 organizational subunits in the department prosecute violations of chs. 562 to 569 or

1 Indian gaming compacts entered into under s. 14.035 and defend any department,  
2 agency, official, employee or agent under subs. (1), (1m), (4) (a) and (6).

3 **SECTION 181.** 165.25 (8) of the statutes is amended to read:

4 165.25 (8) HISTORICAL SOCIETY CONTRACTS. In subs. (1), (1m), (6) and (6m), treat  
5 any nonprofit corporation operating a museum under a lease agreement with the  
6 state historical society as a department of state government and any official,  
7 employee or agent of such a corporation as a state official, employee or agent.

8 **SECTION 182.** 165.25 (8m) of the statutes is amended to read:

9 165.25 (8m) LOCAL EMERGENCY PLANNING COMMITTEES. In subs. (1), (1m), (6) and  
10 (6m), treat any local emergency planning committee appointed by a county board  
11 under s. 59.54 (8) (a) as a department of state government and any member of such  
12 a committee as a state official, employee or agent.

13 **SECTION 183.** 165.93 (4) of the statutes is amended to read:

14 165.93 (4) LIST OF ELIGIBLE ORGANIZATIONS. The department shall certify to the  
15 elections government accountability board, on a continuous basis, a list containing  
16 the name and address of each organization that is eligible to receive grants under  
17 sub. (2).

18 **SECTION 184.** 198.08 (10) of the statutes is amended to read:

19 198.08 (10) ELECTION STATISTICS. The clerk of the district shall seasonably  
20 obtain, compile, and file in his or her office, for the information of the public, a  
21 statement showing the total number of votes cast for the office of governor in the last  
22 preceding general election in each subdistrict of the district. The clerk of every  
23 municipality and the elections government accountability board shall furnish such  
24 information so far as obtainable from their records, duly certified, to the clerk of the  
25 district upon request therefor by the clerk of the district. If the total number of votes

1 cast in any subdistrict for the office of governor in the last preceding election cannot,  
2 because of an intervening change of boundaries of election wards or for any reason,  
3 be ascertained from any official record the clerk of the district shall fairly estimate  
4 such number for the purposes of such statement to be filed in his or her office.

5 **SECTION 185.** 200.09 (11) (am) 2. and 3. of the statutes are amended to read:

6 200.09 (11) (am) 2. No resolution passed under subd. 1. may authorize election  
7 of commissioners sooner than 6 months after the date of passage. The commission  
8 shall immediately notify the elections government accountability board under s. 5.05  
9 upon passage of a resolution under subd. 1.

10 3. If the governing bodies of each city, town, and village comprising the district  
11 pass a resolution to discontinue election of commissioners, each commissioner may  
12 hold office until a successor is appointed and qualified. The commission shall  
13 immediately notify the elections government accountability board under s. 5.05 upon  
14 passage of a resolution under this subdivision.

15 **SECTION 186.** 227.03 (6) of the statutes is amended to read:

16 227.03 (6) Orders of the elections government accountability board under s.  
17 5.06 (6) are not subject to this chapter.

18 **SECTION 187.** 227.45 (1) of the statutes is amended to read:

19 227.45 (1) Except as provided in ~~ss. 19.52 (3) and s.~~ 901.05, an agency or  
20 hearing examiner shall not be bound by common law or statutory rules of evidence.  
21 The agency or hearing examiner shall admit all testimony having reasonable  
22 probative value, but shall exclude immaterial, irrelevant or unduly repetitious  
23 testimony or evidence that is inadmissible under s. 901.05. The agency or hearing  
24 examiner shall give effect to the rules of privilege recognized by law. Basic principles  
25 of relevancy, materiality and probative force shall govern the proof of all questions



1 of fact. Objections to evidentiary offers and offers of proof of evidence not admitted  
2 may be made and shall be noted in the record.

3 **SECTION 188.** 227.46 (1) (intro.) of the statutes is amended to read:

4 227.46 (1) (intro.) Except as provided under s. 227.43 (1), an agency may  
5 designate an official of the agency or an employee on its staff or borrowed from  
6 another agency under s. 20.901 or 230.047 as a hearing examiner to preside over any  
7 contested case. ~~In hearings under s. 19.52, a reserve judge shall be appointed.~~  
8 Subject to rules of the agency, examiners presiding at hearings may:

9 **SECTION 189.** 227.52 (6) of the statutes is amended to read:

10 227.52 (6) Decisions of the chairperson of the elections government  
11 accountability board or the chairperson's designee.

12 **SECTION 190.** 230.08 (2) (e) 4h. of the statutes is created to read:

13 230.08 (2) (e) 4h. Government accountability board — 2.

14 **SECTION 191.** 230.08 (2) (om) of the statutes is repealed.

15 **SECTION 192.** 230.08 (2) (on) of the statutes is created to read:

16 230.08 (2) (on) The legal counsel to the government accountability board.

17 **SECTION 193.** 230.08 (2) (wm) of the statutes is repealed.

18 **SECTION 194.** 230.08 (4) (a) of the statutes is amended to read:

19 230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)  
20 includes all administrator positions specifically authorized by law to be employed  
21 outside the classified service in each department, board or commission and the  
22 historical society. In this paragraph, "department" has the meaning given under s.  
23 15.01 (5), "board" means the educational communications board, government  
24 accountability board, investment board, public defender board and technical college  
25 system board and "commission" means the public service commission.

1 Notwithstanding sub. (2) (z), no division administrator position exceeding the  
2 number authorized in sub. (2) (e) may be created in the unclassified service.

3 **SECTION 195.** 234.02 (3m) (c) of the statutes is amended to read:

4 234.02 (3m) (c) The authority shall, with the advice of the ~~ethics~~ government  
5 accountability board, adopt and enforce ethics guidelines applicable to its paid  
6 consultants which are similar to subch. III of ch. 19, except that the authority may  
7 not require its paid consultants to file financial disclosure statements.

8 **SECTION 196.** 301.03 (20m) of the statutes is amended to read:

9 301.03 (20m) Transmit to the elections government accountability board, on  
10 a continuous basis, a list containing the name of each living person who has been  
11 convicted of a felony under the laws of this state and whose civil rights have not been  
12 restored, together with his or her residential address and the date on which the  
13 department expects his or her civil rights to be restored.

14 **SECTION 197.** 343.11 (2m) of the statutes is amended to read:

15 343.11 (2m) Within 30 days following surrender of a license under sub. (1), the  
16 department shall provide notice to the elections government accountability board of  
17 the person's name and address, the name of the jurisdiction issuing the surrendered  
18 license, and the date on which the license was surrendered.

19 **SECTION 198.** 560.04 (2m) of the statutes is amended to read:

20 560.04 (2m) DUTIES. The department may assign one or more full-time  
21 equivalent positions to the functions of coordinating the development and scheduling  
22 of training programs for local government officials by the University of  
23 Wisconsin-Extension, technical college system, department of revenue, ~~elections~~  
24 government accountability board, and other state agencies in order to assure the  
25 effective delivery of training programs and to prevent duplication of effort and of

1 coordinating requests for management or personnel consultative services from  
2 government units other than the state and directing those requests to the  
3 appropriate division of the department of administration.

4 **SECTION 199.** 758.19 (9) of the statutes is created to read:

5 758.19 (9) If a court of appeals judge is appointed to serve as a member of the  
6 governmental accountability candidate committee and the judge has good cause for  
7 declining to serve, the director of state courts shall accept from the judge a written  
8 communication setting forth the reasons why the judge cannot or should not serve  
9 and the judge shall then be excused from service. Upon receipt of the communication,  
10 the director shall notify the chief justice and the vacancy shall then be filled as  
11 provided in ss. 15.60 (2) and 17.20 (1).

12 **SECTION 200.** 778.135 of the statutes is amended to read:

13 **778.135 Campaign finance, lobbying, and ethics forfeitures; how**  
14 **recovered.** Notwithstanding s. 778.13, whenever any action or proposed action by  
15 the ~~elections~~ government accountability board under s. 5.05 (1) (c) is settled as a  
16 result of agreement between the parties without approval of the court, the moneys  
17 accruing to the state on account of such settlement shall be paid to the board and  
18 deposited with the secretary of administration. ~~Whenever any proposed action by~~  
19 ~~a county board of election commissioners under s. 7.21 (2m) (a) is settled as a result~~  
20 ~~of agreement between the parties, the moneys accruing to the county on account of~~  
21 ~~such settlement shall be paid to the board of election commissioners and deposited~~  
22 ~~with the county treasurer in the same manner as provided for forfeitures under s.~~  
23 ~~778.13.~~

24 **SECTION 201.** 778.136 of the statutes is repealed.

25 **SECTION 202.** 801.50 (5t) of the statutes is created to read:

1           801.50 (5t) Except as otherwise provided in ss. 801.52 and 971.223 (1) and (2),  
2 venue in a civil action to impose a forfeiture upon a resident of this state for a  
3 violation of chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19, or for a violation  
4 of any other law arising from or in relation to the official functions of the subject of  
5 the investigation or any matter that involves elections, ethics, or lobbying regulation  
6 under chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19, shall be in circuit court  
7 for the county where the defendant resides. For purposes of this subsection, a person  
8 other than a natural person resides within a county if the person's principal place of  
9 operation is located within that county. This subsection does not affect which  
10 prosecutor has responsibility under s. 978.05 (2) to prosecute civil actions arising  
11 from violations under s. 971.223 (1).

12           **SECTION 203.** 801.52 of the statutes is amended to read:

13           **801.52 Discretionary change of venue.** The court may at any time, upon  
14 its own motion, the motion of a party or the stipulation of the parties, change the  
15 venue to any county in the interest of justice or for the convenience of the parties or  
16 witnesses, except that venue in a civil action to impose forfeiture for a violation of chs.  
17 5 to 12, subch. III of ch. 13, or subch. III of ch. 19 or for a violation of any other law  
18 arising from or in relation to the official functions of the subject of the investigation  
19 or any matter that involves elections, ethics, or lobbying regulation under chs. 5 to  
20 12, subch. III of ch. 13, or subch. III of ch. 19, may be changed only as provided in s.  
21 971.223 (1) and (2) or in the same manner that is authorized for a change in the venue  
22 of a criminal trial under s. 971.22. This section does not apply to proceedings under  
23 ch. 980.

24           **SECTION 204.** 801.64 of the statutes is created to read:

1           **801.64 Legislative findings; 2007 Wisconsin Act .... (this act).** The  
2 legislature finds that providing under 2007 Wisconsin Act .... (this act) for the place  
3 of trial in the county where the offender resides is consistent with the legislature’s  
4 authority under article I, section 7, of the constitution and with previous acts by the  
5 legislature providing for the place of trial in counties other than where the elements  
6 of the offense may have occurred. The legislature further finds that allowing  
7 defendants charged with violating offenses covered by 2007 Wisconsin Act .... (this  
8 act) to request a trial in the county where the offense occurred is consistent with the  
9 protections in article I, section 7, of the constitution. The legislature finds that  
10 violations of offenses covered by 2007 Wisconsin Act .... (this act) are violations of the  
11 public trust that should be adjudicated in the county where the offender resides so  
12 the individuals who the defendant interacts with daily, serves, or represents as a  
13 public official or candidate and whose trust was violated by the offense will judge the  
14 defendant’s guilt or innocence. The legislature further finds that to so provide is  
15 consistent with equal protection of the laws under article I, section 1, of the  
16 constitution. The legislature finds the venue provision in 2007 Wisconsin Act .... (this  
17 act) represents an appropriate balance between the rights of the defendant and the  
18 need to prevent and prosecute civil and criminal offenses covered by 2007 Wisconsin  
19 Act .... (this act).

20           **SECTION 205.** 971.19 (12) of the statutes is created to read:

21           **971.19 (12)** Except as provided in s. 971.223, in an action for a violation of chs.  
22 5 to 12, subch. III of ch. 13, or subch. III of ch. 19, or for a violation of any other law  
23 arising from or in relation to the official functions of the subject of the investigation  
24 or any matter that involves elections, ethics, or lobbying regulation under subch. 5  
25 to 12, subch. III of ch. 13, or subch. III of ch. 19 a defendant who is a resident of this

1 state shall be tried in circuit court for the county where the defendant resides. For  
2 purposes of this subsection, a person other than a natural person resides within a  
3 county if the person's principal place of operation is located within that county.

4 **SECTION 206.** 971.223 of the statutes is created to read:

5 **971.223 Change of Place of Trial for Certain Violations.** (1) In an action  
6 for a violation of chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19, or for a  
7 violation of any other law arising from or in relation to the official functions of the  
8 subject of the investigation or any matter that involves elections, ethics, or lobbying  
9 regulation under chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19, a defendant  
10 who is a resident of this state may move to change the place of trial to the county  
11 where the offense was committed. The motion shall be in writing.

12 (2) The court shall grant a motion under this section if the court determines  
13 that the county where the offense was committed is different than the county where  
14 the defendant resides. If there is more than one county where the offense was  
15 committed, the court shall determine which of the counties where the offense was  
16 committed will be the place of trial. The judge who orders the change in the place  
17 of trial shall preside at the trial and the jury shall be chosen from the county where  
18 the trial will be held. Preliminary matters prior to trial may be conducted in either  
19 county at the discretion of the court. The judge shall determine where the record  
20 shall be kept and, if the defendant is in custody, where the defendant shall be held.

21 (3) This section does not affect which prosecutor has responsibility under s.  
22 978.05 (1) to prosecute criminal actions arising from violations under sub. (1).

23 (4) This section does not affect the application of s. 971.22. In actions under  
24 sub. (1), the court may enter an order under s. 971.225 only if the order is agreed to  
25 by the defendant.

1           **SECTION 207.** 971.225 (1) (intro.) of the statutes is amended to read:

2           971.225 (1) (intro.) In lieu of changing the place of trial under s. 971.22 (3) or  
3           971.223, the court may require the selection of a jury under sub. (2) if:

4           **SECTION 208.** 978.05 (1) and (2) of the statutes are amended to read:

5           978.05 (1) **CRIMINAL ACTIONS.** Except as otherwise provided by law, prosecute  
6           all criminal actions before any court within his or her prosecutorial unit and have  
7           sole responsibility for prosecution of all criminal actions arising from violations of  
8           chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19 and from violations of other  
9           laws arising from or in relation to the official functions of the subject of the  
10           investigation or any matter that involves elections, ethics, or lobbying regulation  
11           under chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19, that are alleged to be  
12           committed by a resident of his or her prosecutorial unit, or if alleged to be committed  
13           by a nonresident of this state, that are alleged to occur in his or her prosecutorial unit  
14           unless another prosecutor is substituted under s. 5.05 (2m) (i) or this chapter or by  
15           referral of the government accountability board under s. 5.05 (2m) (c) 15. or 16. For  
16           purposes of this subsection, a person other than a natural person is a resident of a  
17           prosecutorial unit if the person's principal place of operation is located in that  
18           prosecutorial unit.

19           **(2) FORFEITURES.** Except as otherwise provided by law, prosecute all state  
20           forfeiture actions, county traffic actions and actions concerning violations of county  
21           ordinances which are in conformity with state criminal laws in the courts within his  
22           or her prosecutorial unit and have joint responsibility, together with the government  
23           accountability board, for prosecution of all forfeiture actions arising from violations  
24           of chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19 and from violations of other  
25           laws arising from or in relation to the official functions of the subject of the

1 investigation or any matter that involves elections, ethics, or lobbying regulation  
2 under chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19 that are alleged to be  
3 committed by a resident of his or her prosecutorial unit, or if alleged to be committed  
4 by a nonresident of this state, that are alleged to occur within his or her prosecutorial  
5 unit unless another prosecutor is substituted under s. 5.05 (2m) (h) or this chapter  
6 or by referral of the government accountability board under s. 5.05 (2m) (c) 15. or 16.  
7 For purposes of this subsection, a person other than a natural person is a resident  
8 of a prosecutorial unit if the person's principal place of operation is located in that  
9 prosecutorial unit.

10 **SECTION 209. Nonstatutory provisions.**

11 (1) INITIATION DATE. In this section, "initiation date" means the first day of the  
12 7th month beginning after publication of this act, or the 31st day beginning after the  
13 date on which the government accountability board has given final approval to the  
14 hiring of individuals to initially fill the positions of legal counsel to the board,  
15 administrator of the ethics and accountability division of the board, and  
16 administrator of the elections division of the board, whichever is later.

17 (2) TRANSFER OF ELECTIONS BOARD.

18 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
19 liabilities of the elections board shall become the assets and liabilities of the  
20 government accountability board.

21 (b) *Positions and employees.*

22 1. On the effective date of this subdivision, all full-time equivalent positions  
23 in the elections board are transferred to the government accountability board.

24 2. All incumbent employees holding positions in the elections board on the  
25 effective date of this subdivision, except the incumbent employee holding the



1 position of executive director, are transferred on the effective date of this subdivision  
2 to the government accountability board.

3 3. Employees transferred under subdivision 2. have all the rights and the same  
4 status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
5 government accountability board that they enjoyed in the elections board  
6 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,  
7 no employee so transferred who has attained permanent status in class is required  
8 to serve a probationary period.

9 (c) *Tangible personal property.* On the effective date of this paragraph, all  
10 tangible personal property, including records, of the elections board is transferred to  
11 the government accountability board.

12 (d) *Contracts.* All contracts entered into by the elections board in effect on the  
13 effective date of this paragraph remain in effect and are transferred to the  
14 government accountability board. The government accountability board shall carry  
15 out any contractual obligations under such a contract until the contract is modified  
16 or rescinded by the government accountability board to the extent allowed under the  
17 contract.

18 (e) *Rules and orders.* Within one year after the initiation date, the board shall  
19 hold one or more public hearings on the question of reaffirmation of each rule that  
20 has been promulgated and each order that has been issued by the elections board and  
21 that is in effect on that date. Except as authorized in this paragraph, every rule  
22 promulgated by the elections board that is in effect on the effective date of this  
23 paragraph remains in effect until its specified expiration date or until the end of the  
24 365–day period beginning on the initiation date, whichever is earlier, unless that  
25 board repeals or amends the rule, effective on an earlier date, or unless that board

1 specifically votes to reaffirm the rule. Except as authorized in this paragraph, every  
2 order issued by the elections board that is in effect on the effective date of this  
3 paragraph remains in effect until its specified expiration date or until the end of the  
4 365–day period beginning on the initiation date, whichever is earlier, unless that  
5 board modifies or rescinds the order, effective on an earlier date, or unless that board  
6 specifically votes to reaffirm the order. Any action by the board to amend or repeal  
7 a rule shall be in accordance with subchapter II of chapter 227 of the statutes. The  
8 board may extend the expiration date of any rule or order under this paragraph for  
9 not more than 3 months in order to afford time for additional review, but no such  
10 extension or renewal of an extension may extend the expiration date of any rule or  
11 order by more than 6 months in all.

12 (f) *Formal opinions.* Within one year after the initiation date, the board shall  
13 hold one or more public hearings on the question of reaffirmation of each formal  
14 opinion that has been issued by the elections board and that has not been withdrawn  
15 or modified. Except as authorized in this paragraph, every formal opinion issued by  
16 the elections board that has not been withdrawn or modified on the initiation date  
17 remains in effect until the end of the 365–day period beginning on the initiation date  
18 unless that board withdraws or modifies the opinion on an earlier date, or unless that  
19 board specifically votes to reaffirm the opinion on an earlier date. The board may  
20 extend the period of effectiveness of any formal opinion under this paragraph for not  
21 more than 3 months in order to afford time for additional review, but no such  
22 extension or renewal of an extension may extend the period of effectiveness of any  
23 opinion by more than 6 months in all.

24 (g) *Review of internal operating procedures.* During the 365–day period  
25 beginning on the initiation date, the board shall review all internal operating

1 procedures of the elections board in effect on the initiation date that affect the  
2 manner in which the board interrelates with persons who are not employees of the  
3 board. The review shall specifically address the degree to which employees are  
4 authorized to perform their functions without direct supervision of or approval of the  
5 board. During the pendency of the review, no employee of the government  
6 accountability board may make any change in an internal operating procedure  
7 described in this paragraph unless that board first holds a public hearing concerning  
8 the proposed change and that board specifically approves the change.

9 (h) *Pending matters.* Any matter pending with the elections board on the  
10 effective date of this paragraph is transferred to the government accountability  
11 board, and all materials submitted to or actions taken by the elections board with  
12 respect to the pending matter are considered as having been submitted to or taken  
13 by the government accountability board.

14 (3) TRANSFER OF ETHICS BOARD.

15 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
16 liabilities of the ethics board shall become the assets and liabilities of the government  
17 accountability board.

18 (b) *Positions and employees.*

19 1. On the effective date of this subdivision, all full-time equivalent positions  
20 in the ethics board are transferred to the government accountability board.

21 2. All incumbent employees holding positions in the ethics board on the  
22 effective date of this subdivision, except the incumbent employee holding the  
23 position of executive director, are transferred on the effective date of this subdivision  
24 to the government accountability board.

1           3. Employees transferred under subdivision 2. have all the rights and the same  
2 status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
3 government accountability board that they enjoyed in the ethics board immediately  
4 before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee  
5 so transferred who has attained permanent status in class is required to serve a  
6 probationary period.

7           (c) *Tangible personal property.* On the effective date of this paragraph, all  
8 tangible personal property, including records, of the ethics board is transferred to the  
9 government accountability board.

10           (d) *Contracts.* All contracts entered into by the ethics board remain in effect  
11 and are transferred to the government accountability board. The government  
12 accountability board shall carry out any contractual obligations under such a  
13 contract until the contract is modified or rescinded by the government accountability  
14 board to the extent allowed under the contract.

15           (e) *Rules and orders.* Within one year after the initiation date, the board shall  
16 hold one or more public hearings on the question of reaffirmation of each rule that  
17 has been promulgated and each order that has been issued by the ethics board and  
18 that is in effect on that date. Except as authorized in this paragraph, every rule  
19 promulgated by the ethics board that is in effect on the effective date of this  
20 paragraph remains in effect until its specified expiration date or until the end of the  
21 365-day period beginning on the initiation date, whichever is earlier, unless that  
22 board amends or repeals the rule, effective on an earlier date, or unless that board  
23 specifically votes to reaffirm the rule. Except as authorized in this paragraph, every  
24 order issued by the ethics board that is in effect on the effective date of this paragraph  
25 remains in effect until its specified expiration date or until the end of the 365-day

1 period beginning on the initiation date, whichever is earlier, unless that board  
2 modifies or rescinds the order, effective on an earlier date, or unless that board  
3 specifically votes to reaffirm the order. Any action by the board to amend or repeal  
4 a rule shall be in accordance with subchapter II of chapter 227 of the statutes. The  
5 board may extend the expiration date of any rule or order under this paragraph for  
6 not more than 3 months in order to afford time for additional review, but no such  
7 extension or renewal of an extension may extend the expiration date of any rule or  
8 order by more than 6 months in all.

9 (f) *Formal opinions.* Within one year after the initiation date, the board shall  
10 hold one or more public hearings on the question of reaffirmation of each formal  
11 opinion that has been issued by the ethics board and that has not been withdrawn  
12 or modified. If the formal opinion is confidential, the board shall hold the hearing  
13 on the question of reaffirmation of the summary of the opinion that has been  
14 published. Except as authorized in this paragraph, every formal opinion issued by  
15 the ethics board or by the executive director of the ethics board acting in its stead that  
16 has not been withdrawn or modified on the initiation date remains in effect until the  
17 end of the 365-day period beginning on the initiation date unless that board  
18 withdraws or modifies the opinion on an earlier date, or unless that board specifically  
19 votes to reaffirm the opinion on an earlier date. The board may extend the period  
20 of effectiveness of any formal opinion under this paragraph for not more than 3  
21 months in order to afford time for additional review, but no such extension or renewal  
22 of an extension may extend the period of effectiveness of an opinion by more than 6  
23 months in all.

24 (g) *Review of guidelines.* Within one year after the initiation date, the board  
25 shall hold one or more public hearings for the purpose of reviewing the question of

1 reaffirmation of each current guideline that has been issued by the ethics board. The  
2 review shall address the extent to which the guidelines are consistent with relevant  
3 law. Except as authorized in this paragraph, the government accountability board  
4 shall withdraw each guideline identified in this paragraph at the end of the 365-day  
5 period beginning on the initiation date, unless the board chooses to withdraw or  
6 revise the guideline at an earlier date or unless the board specifically votes to  
7 reaffirm the current text of the guideline as issued prior to the end of that period.  
8 The board may extend the circulation period of any guideline identified in this  
9 paragraph for not more than 3 months in order to afford time for additional review,  
10 but no such extension or renewal of an extension may extend the circulation period  
11 of a guideline by more than 6 months in all.

12 (h) *Review of internal operating procedures.* During the 365-day period  
13 beginning on the initiation date, the board shall review all internal operating  
14 procedures of the ethics board in effect on the initiation date that affect the manner  
15 in which the board interrelates with persons who are not employees of the board. The  
16 review shall specifically address the degree to which employees are authorized to  
17 perform their functions without direct supervision of or approval of the board.  
18 During the pendency of the review, no employee of the government accountability  
19 board may make any change in an internal operating procedure described in this  
20 paragraph unless that board first holds a public hearing concerning the proposed  
21 change and that board specifically approves the change.

22 (i) *Pending matters.* Any matter pending with the ethics board on the effective  
23 date of this paragraph is transferred to the government accountability board, and all  
24 materials submitted to or actions taken by the ethics board with respect to the

1 pending matter are considered as having been submitted to or taken by the  
2 government accountability board.

3 (4) CONFIRMATION OF PERSONS NOMINATED TO INITIALLY FILL POSITIONS ON THE  
4 BOARD. Notwithstanding section 15.07 (1) (a) 2. of the statutes, as affected by this act,  
5 the governor shall submit the names of the nominees to initially fill 3 of the positions  
6 as members of the government accountability board to the assembly and shall  
7 submit the names of the nominees to initially fill 3 of the positions as members of the  
8 government accountability board to the senate, and the nominees to initially fill  
9 those positions are subject to confirmation solely by a majority of the members  
10 present and voting on a nomination in the house to which their names are submitted.  
11 Notwithstanding section 5.052 (4) of the statutes, as created by this act, if a nominee  
12 of the governor to initially fill a position as a member of the government  
13 accountability board dies or withdraws, or if such a nomination is withdrawn by the  
14 governor or rejected by the house to which submitted under this subsection, the  
15 government accountability candidate committee shall submit an additional nominee  
16 to the governor for appointment to the board, subject to confirmation by the same  
17 house in accordance with this subsection.

18 (5) BOARD TRANSITIONS; INITIAL TERMS.

19 (a) Notwithstanding section 15.61, 2005 stats., section 15.62, 2005 stats., and  
20 section 15.07 (1) (c) of the statutes, the terms of office of all members of the elections  
21 board and all members of the ethics board holding office shall expire on the initiation  
22 date.

23 (b) Each member of the government accountability board who is appointed as  
24 provided in paragraph (c) and qualified to take office shall take office on the effective  
25 date of this paragraph, or upon qualification to take office, whichever is later.

1 Notwithstanding section 15.07 (4) of the statutes, as affected by this act, the board  
2 does not have a quorum for transaction of business at its initial meeting until 6  
3 members have initially been appointed and qualify to serve.

4 (c) The government accountability candidate committee shall submit to the  
5 governor the names of at least 8 qualified individuals to fill the initial positions as  
6 members of the government accountability board. In making nominations to  
7 initially fill positions as members of the government accountability board, the  
8 government accountability candidate committee shall draw lots at a meeting of the  
9 committee to assign a numerical sequence to each nomination, beginning with the  
10 number one. Notwithstanding section 15.60 (1) of the statutes, as created by this act,  
11 from the nominations submitted, the governor shall nominate the nominee who is  
12 assigned the lowest number to serve for a term expiring on May 1, 2014; the nominee  
13 having the next highest number to serve for a term expiring on May 1, 2013; the  
14 nominee having the next highest number to serve for a term expiring on May 1, 2012;  
15 the nominee having the next highest number to serve for a term expiring on May 1,  
16 2011; the nominee having the next highest number to serve for a term expiring on  
17 May 1, 2010; and the nominee having the next highest number to serve for a term  
18 expiring on May 1, 2009.

19 (d) Notwithstanding section 15.60 (2) of the statutes, as created by this act, the  
20 initial members of the governmental accountability candidate committee shall serve  
21 for terms expiring on March 1, 2009.

22 (6) IMPLEMENTATION.

23 (a) Notwithstanding section 5.05 (1m) and (2m) of the statutes, as created by  
24 this act, and section 20.922 (1) of the statutes, the director of the legislative council  
25 staff shall provide such administrative support to the government accountability



1 board as the board may require, without additional compensation for such service,  
2 until such time as the board initially appoints a legal counsel to the board and the  
3 appointee takes office. The director of the legislative council staff is vested with full  
4 authority and responsibility to carry out all administrative functions of the legal  
5 counsel to the government accountability board, the divisions in the government  
6 accountability board, and the administrators of the divisions prior to appointment  
7 and qualification of the initial legal counsel, including the retention and termination  
8 of all staff not transferred to the board that the board is authorized to employ under  
9 this act.

10 (b) Notwithstanding section 15.07 (2) (b) of the statutes, as created by this act,  
11 the member of the government accountability board who is first nominated shall  
12 choose the initial chairperson of the board at the first meeting of the board in  
13 accordance with section 15.07 (2) (b) of the statutes, as created by this act.

14 (c) Prior to the initiation date, the government accountability board may  
15 expend moneys from the appropriation under section 20.511 (1) (a) of the statutes,  
16 as created by this act, for the purpose of meeting, employing staff, and preparing to  
17 assume its full authority and responsibilities on that date.

18 (7) JOINT COMMITTEE ON FINANCE. Of the moneys appropriated to the joint  
19 committee on finance under section 20.865 (4) (a) of the statutes for the 2005–07  
20 fiscal biennium, \$155,400 is reserved to supplement the appropriation of the  
21 government accountability board under section 20.511 (1) (a) of the statutes, as  
22 created by this act, in fiscal year 2006–07 for the purposes described in SECTION 210  
23 (5) of this act.

24 **SECTION 210. Fiscal changes.**

1           (1) The unencumbered balance in the appropriation account under section  
2 20.510 (1) (h) of the statutes is transferred to the appropriation account under section  
3 20.511 (1) (h) of the statutes, as created by this act.

4           (2) The unencumbered balance in the appropriation account under section  
5 20.510 (1) (i) of the statutes is transferred to the appropriation account under section  
6 20.511 (1) (i) of the statutes, as created by this act.

7           (3) The unencumbered balance in the appropriation account under section  
8 20.521 (1) (g) of the statutes is transferred to the appropriation account under section  
9 20.511 (1) (i) of the statutes, as created by this act.

10          (4) The unencumbered balance in the appropriation account under section  
11 20.521 (1) (i) of the statutes is transferred to the appropriation account under section  
12 20.511 (1) (h) of the statutes, as created by this act.

13          (5) In the schedule under section 20.005 (3) of the statutes for the appropriation  
14 to the joint committee on finance under section 20.865 (4) (a) of the statutes, as  
15 affected by the acts of 2005 and 2007, the dollar amount is increased by \$155,400 for  
16 fiscal year 2006–07 to provide funding for the government accountability board to  
17 hold meetings, employ staff, and prepare to assume its full authority and  
18 responsibilities under this act.

19          **SECTION 211. Effective dates.** This act takes effect on the initiation date  
20 specified in section 209 (1), except as follows:

21          (1) The treatment of sections 5.052, 5.054, 15.07 (1) (a) 2., (2) (b), and (5) (m),  
22 15.60, 15.603, 20.511 (intro.) and (1) (title) and (a), 20.923 (4) (f) 3j., and 230.08 (2)  
23 (e) 4h. and (on) and (4) (a) of the statutes, SECTIONS 209 (5) to (7) and 210 (5) of this  
24 act take effect on the day after publication.

1           (2) The repeal and recreation of section 20.005 (3) (schedule) 20.511 of the  
2 statutes takes effect on July 1, 2007.

3           (3) The repeal of section 20.511 (1) (c) of the statutes takes effect on July 1, 2007.

4   **(END)**