

CHAPTER 120, Laws of 1979

AN ACT to repeal 19.45 (11) (c); to renumber 8.30 and 19.45 (11) (d); to amend subchapter III (title) of chapter 19 and 59.14 (1); and to create 8.30 (2) and 19.59 of the statutes, relating to adoption of codes of ethics for county and municipal officers, employes and candidates and providing a penalty.

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

SECTION 1. 8.30 of the statutes is renumbered 8.30 (1).

SECTION 2. 8.30 (2) of the statutes is created to read:

8.30 (2) The official or agency with whom nomination papers are required to be filed may not place a candidate's name on the ballot if the official or agency is prohibited from doing so under s. 19.43 (4) or an ordinance adopted under s. 19.59 (3) (b).

SECTION 3. Subchapter III (title) of chapter 19 of the statutes is amended to read:

CHAPTER 19
SUBCHAPTER III

CODE OF ETHICS FOR PUBLIC OFFICIALS AND EMPLOYES

SECTION 4. 19.45 (11) (c) of the statutes is repealed.

SECTION 5. 19.45 (11) (d) of the statutes is renumbered 19.45 (11) (c).

SECTION 6. 19.59 of the statutes is created to read:

19.59 Codes of ethics for local government officials, employes and candidates. (1) Any county, city, village or town may adopt an ordinance establishing a code of ethics for public officials and employes of the county or municipality and candidates for county or municipal elective offices.

(2) An ordinance adopted under this section shall specify the positions to which it applies. The ordinance may apply to members of the immediate family of persons who hold positions or who are candidates for positions covered by the ordinance.

(3) An ordinance adopted under this section may contain any of the following provisions:

(a) A requirement for public officials, employes and candidates to identify any of the economic interests specified in s. 19.44, but to no greater extent than is required under that section.

(b) A provision directing the county or municipal clerk to omit the name of any candidate from an election ballot who fails to disclose his or her economic interests in accordance with the requirements of the ordinance.

(c) A provision directing the county or municipal treasurer to withhold the payment of salaries or expenses from any employe who fails to disclose his or her economic interests in accordance with the requirements of the ordinance.

(d) A provision vesting administration and civil enforcement of the ordinance with an ethics board appointed in a manner specified in the ordinance. A board created under this paragraph may issue subpoenas, administer oaths and investigate any violation of the ordinance on its own motion or upon complaint by any person. The ordinance may empower the board to issue opinions upon request. Notwithstanding s. 19.21, records of the

board's opinions, opinion requests and investigations of violations of the ordinance may be closed in whole or in part to public inspection if the ordinance so provides.

(e) Provisions prescribing ethical standards of conduct and prohibiting conflicts of interest on the part of public officials and employes or former public officials and employes of the county or municipality, similar in scope to the provisions of s. 19.45, where applicable, but not more restrictive than the requirements of that section.

(f) A provision prescribing a forfeiture for violation of the ordinance in an amount not exceeding \$1,000 for each offense. A minimum forfeiture not exceeding \$100 for each offense may also be prescribed.

(4) This section may not be construed to limit the authority of a county, city, village or town to regulate the conduct of its officials and employes to the extent that it has authority to regulate that conduct under the constitution or other laws.

SECTION 7. 59.14 (1) of the statutes is amended to read:

59.14 (1) Every sheriff, clerk of the circuit court, register of deeds, county treasurer, register of probate, county clerk and county surveyor shall keep his or her office at the county seat in the offices provided by the county or by special provision of law; or if there is none, then at such place as the ~~county~~ board directs. The ~~county~~ board may also require any elective or appointive county official to keep his or her office at the county seat in an office to be provided by the county. All such officers shall keep ~~such~~ their offices open during the usual business hours each day, Sundays excepted, ~~and except that~~ but the county board of each county may permit said the officers to close their offices on Saturday or on legal holidays for such time as the ~~county~~ board directs, ~~and with~~. With proper care, the officers shall open to the examination of any person all books and papers required to be kept in his or her office and permit any person so examining to take notes and copies of such books, records, papers or minutes therefrom except as authorized under s. 19.59 (3) (d).
