

TO: All MEUW Members

FROM: Scott Meske, Associate Director

DATE: November 8, 2010

RE: Wisconsin Government Accountability Board (GAB) Laws and Links for Local Official Ethics

The [Wisconsin Government Accountability Board](#) oversees both the elections in Wisconsin and ethics issues of our appointed and elected officials. Periodically they re-issue reminders or decisions regarding officials' ethics cases and pertinent state laws.

MEUW also can take an active role in helping educate our local municipal utility staffs and governing boards of the ethical implications of serving in one of these roles. Attached are some very helpful documents from the GAB which will help orient new and existing members of your utility's governing bodies (utility commission, utility committee, city council, village or town board).

Additionally, the GAB has provided an online tutorial (PowerPoint presentation) suitable for viewing by your governing board as a group, if you feel necessary. I've included a copy of the presentation as a 'PDF' easily can be viewed on screen without PowerPoint, or printed for distribution, or emailed.

In summary, it has been established that ALL elected or appointed local officials – and staffs – are subject to Wisconsin's Ethics Laws for Local Officials. It is important to review these laws and rules periodically, educate governing boards and staff, and hopefully significantly reduce the chance of an unintentional violation that could result in a GAB official investigation.

If you have any questions regarding complying with any of these rules, please consult your local municipal attorney or one of the helpful GAB staff members listed in the resources provided.

Attach.



Standards of Conduct for Wisconsin's State Public Officials

(left-click mouse on slide to advance)

The following cartoon
appeared in Harper's Weekly
in June 1858, the same year
that Wisconsin enacted its
first lobbying law

(please be patient while the cartoon loads)



POLITICAL MARKET

Conscientious Railroad President to

Dealer: "Ah! Let me see. I think I'll take this bunch of Legislators at \$5000 a head. The Senators, at what price did you say?"

Dealer: "Can't afford 'em less than \$10,000 each."

R.R.P.: "Well, hand them over. I suppose I'll have to take the lot."

Dealer: "Anything else to-day? I have a lot of Editors, at various prices, from a Thousand down to Fifty Cents."

R.R.P.: "No, nothing in that way, to-day. But I want a Governor very much indeed, and will stand \$50,000 for him. Get me a Wisconsin one, if possible!"

Cartoon published in *Harper's Weekly* of June 12, 1858, at the time of the Land Grant Investigation

The big picture

- Improve standards of governmental service
- Strengthen citizens' confidence in the integrity of governmental officials
- Help preserve the integrity of the governmental decision-making process
- Promote a full and fair opportunity for citizens to address governmental officials, either directly, or through paid representatives, on the merits of issues

Safeguards

- Disclosure of economic interests
- Restrictions on acceptance of gifts and expenses
- Restrictions on use of office when personal financial interest in outcome

Lobbying Law [13.625]

No elected or agency official

May accept from a lobbyist

Or from a business or organization that
employs a lobbyist

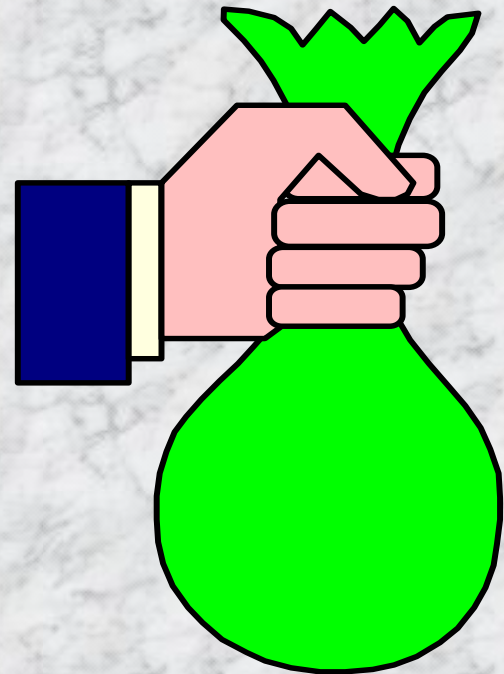
Anything of pecuniary value

Except --

Campaign contributions

Reimbursement for
presenting a talk

Items and services a lobbying
principal makes available to
the general public



Food, Drink Transportation and Lodging [19.45(3m)]

No state public official

May accept

Transportation, lodging, meals, food or beverage

Except in accordance with s. 19.56(3).

19.56(3) exceptions:

- expenses in connection with presenting a talk;
- an official can show by clear and convincing evidence that the items are offered for reasons unrelated to the official's holding public office;
- an official can show by clear and convincing evidence that the items are received on behalf of the state of Wisconsin and primarily for the state's benefit; or
- the items are made available by the department of commerce or the department of tourism in connection with certain events sponsored by those agencies

Use of Office For Private Benefit [19.45(2)]

No state public official

May use his or her position

To obtain financial gain or anything of substantial value

For the private benefit of himself or herself,

Or his or her immediate family,

Or for an organization with which the official is associated.

Influence and Reward [19.45(3)]

No state public official

May solicit or accept

Anything of value

If it could reasonably be expected to influence the official's judgment

Or could reasonably be considered a reward for official action.

Conflicting Interests [19.46(1)]

No state public official

May take any official action

Substantially affecting a matter

In which the official, a member of his or her immediate family, or an organization with which the official is associated

Has a substantial financial interest.

Standards an official has to know!!



- *Don't accept items or services from lobbyists*
- *Don't accept items or services from organizations that employ lobbyists*
- *Don't accept favors offered because of public position*

Exceptions:

- Expenses for presenting a talk
- Items received on behalf of the state and primarily for the benefit of the state
- Items unrelated to your holding public office
- Items available to the general public
- Educational and informational material



Where to get assistance

- Government Accountability Board's web site -- <http://gab.wi.gov>
- Guidelines
- Government Accountability Board staff
- Advisory opinions [Prompt, confidential, authoritative]