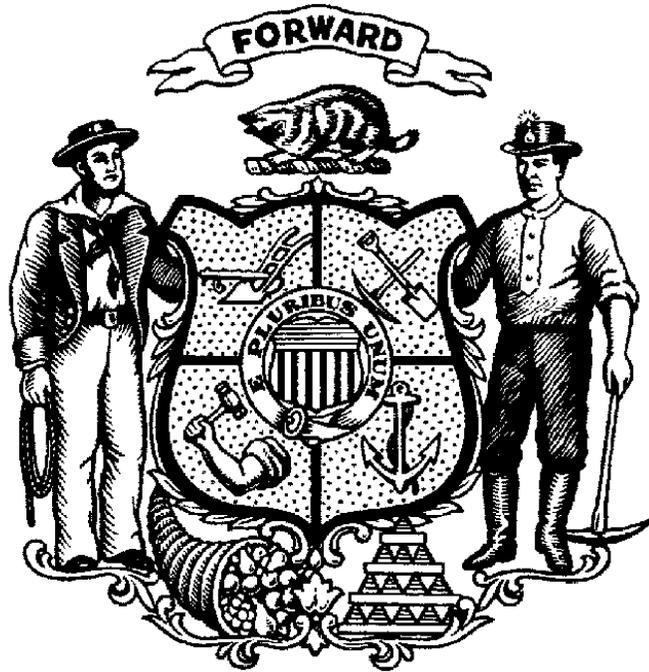


State of Wisconsin

Ethics Commission



Agency Budget Request
2021 – 2023 Biennium
September 15, 2020

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Wisconsin Ethics Commission

Campaign Finance | Lobbying | Ethics
101 East Wilson Street | Suite 127 | P.O. Box 7125 | Madison, WI 53707-7125
(608) 266-8123 | ethics@wi.gov | <https://ethics.wi.gov>

September 15, 2020

Joel Brennan, Secretary
Wisconsin Department of Administration
101 E. Wilson St., 10th Floor
Madison, WI 53703

Dear Secretary Brennan,

On behalf of the Wisconsin Ethics Commission, I am pleased to submit the agency's biennial budget request for fiscal years 2021 – 23 for your review. The Commission's budget request complies with all provided instructions, including requirements of 2015 Wisconsin Act 201 and 2017 Wisconsin Act 212.

In preparing the Commission's biennial budget request, we completed a thorough review of the previous biennial budget, as well as the Commission's statutory responsibilities, in order to determine the resources required to operate and to promote and strengthen the faith and confidence of the people of Wisconsin in their government.

We are also taking a fresh look at all programs and practices in order to identify ways to become more effective, efficient, provide the highest quality of service possible while responsibly conserving available resources, and to utilize program revenue to advance our mission.

Thank you for your consideration of the Ethics Commission's biennial budget request. The Commission and its staff look forward to working with you and the State Budget Office throughout the budget process.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. A. Carlton'.

Daniel A. Carlton, Jr.
Commission Administrator
Wisconsin Ethics Commission

AGENCY DESCRIPTION

The Commission is comprised of six members, who serve for 5-year terms. One member is appointed by the Senate Majority Leader; one appointed by the Senate Minority Leader; one appointed by the Speaker of the Assembly; one appointed by the Assembly Minority Leader; and two are individuals who formerly served as judges for a court of record in this state, who were elected to the positions in which they served, and who are nominated by the Governor with the advice and consent of a majority of the members of the Senate confirmed. A detailed description of the appointment of Commissioners is provided in WIS. STAT. § 15.62. The transition plan from the Government Accountability Board to the Ethics Commission put forth by the Department of Administration established a rotational term schedule of the Commissioners. The Commission elects a chair and vice-chair from its members by a majority vote.

The Administrator serves as the agency head and is responsible for the daily operations of the Commission. The Commission Administrator and staff are non-partisan. The agency has a staff of 4.55 GPR and 3.45 PR full-time employees. The Commission administers and enforces Wisconsin law pertaining to campaign finance (Wisconsin Chapter 11), lobbying (Wisconsin Chapter 13, Subchapter III), and the Code of Ethics (Wisconsin Chapter 19, Subchapter III). The duties of the Ethics Commission are codified in WIS. STAT. §§ 11.1304, 13.685, and 19.48.

Additional information about the Commission, its members and staff, meetings, and resources provided to the public is available on the Ethics Commission's website at <https://ethics.wi.gov>.

Commission activities are arranged by five general functions:

1. General administration;
2. Assistance to state public officials, candidates, lobbyists, principals, political committees and officeholders;
3. Assistance to local governments;
4. Education and training; and
5. Enforcement.

Within these functional areas, the Commission develops policy, issues formal and informal opinions, promulgates administrative rules, prescribes procedures and forms, audits disclosure reports, carries out investigations, conducts hearings and reviews appeals, brings civil actions to assess forfeitures, and performs related activities.

MISSION

The mission of the commission is to promote and strengthen the faith and confidence of the people of Wisconsin in their government; support the operation of open and responsible government; preserve the integrity of the governmental decision-making process; and protect the rights of individuals through the administration of Wisconsin's campaign finance, lobbying and ethics laws and through readily available and understandable disclosure of information.

PROGRAMS, GOALS, OBJECTIVES AND ACTIVITIES

Program 1: Ethics, Campaign Finance and Lobbying Regulation

Goal: Facilitate compliance with the requirements of Wisconsin's campaign finance, lobbying and ethics laws.

Objective/Activity: Provide training, educational materials, and assistance to the regulated community and the public, focusing on applicable registration and reporting requirements.

Objective/Activity: Conduct timely audits of registration and report information, consistent with statutory requirements.

Objective/Activity: Provide informal and formal advisory opinions, as well as informal guidance, in a timely manner whenever requested to do so.

Goal: Support the operation of open and responsible government, and preserve the integrity of governmental decision-making, and protect the rights of individuals.

Objective/Activity: Promptly make reported campaign finance, lobbying, and financial disclosure information publicly available.

Objective/Activity: Maintain the Wisconsin Campaign Finance Information System (CFIS), Eye on Lobbying website, and Statements of Economic Interests website in order to facilitate the registration and reporting requirements under applicable Wisconsin statutes, as well as making the disclosure of reported information readily accessible and understandable.

Objective/Activity: Investigate complaints of possible violations of the ethics code, lobbying law, and campaign finance law and seek appropriate remedies as circumstances merit.

PERFORMANCE MEASURES

2019 AND 2020 GOALS AND ACTUALS

Prog. No.	Performance Measure	Goal 2019	Actual 2019	Goal 2020	Actual 2020
1.	Percentage of fees received by electronic payment methods.	50%	71%	55%	87%
1.	Percentage of campaign finance reports filed on or before the required date.	92%	94%	95%	90.3%
1.	Percentage of committees in compliance, based on audit findings.	90%	95.6%	93%	93.8%
1.	Percentage of lobbyist time reports completed on or before the required date.	99%	99.9%	99%	99.8%
1.	Percentage of registered principals completing their Statements of Lobbying Activities and Expenditures on or before the required date.	99%	99.3%	99%	98.3%
1.	Percentage of principals in compliance, based on audit findings.	99%	96.7%	99%	99.5%
1.	Percentage of required Statements of Economic Interest filed on or before the required date.	96%	92%	97%	95.5%
1.	Statements of Economic Interest filed electronically.	90%	92%	92%	93.7%

Note: Based on fiscal year.

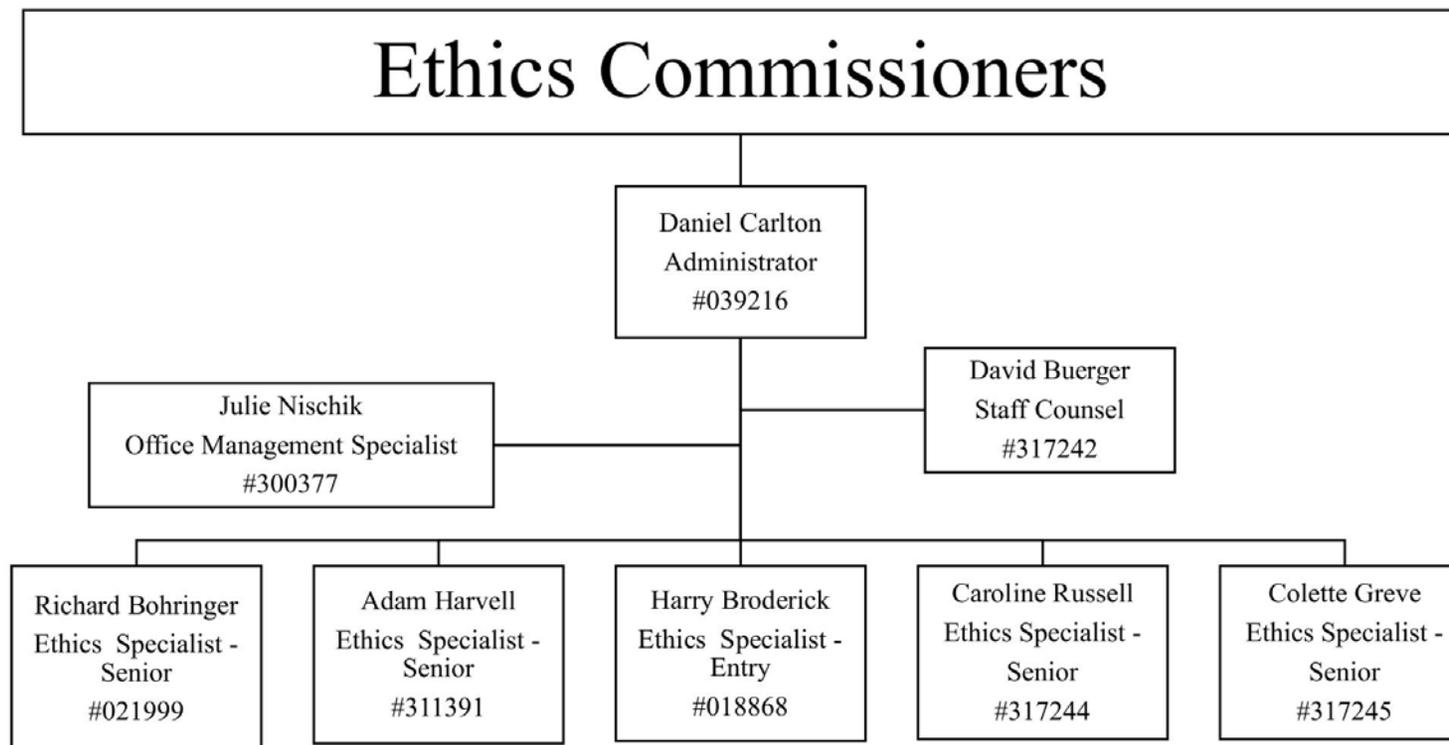
2021, 2022 AND 2023 GOALS

Prog. No.	Performance Measure	Goal 2021	Goal 2022	Goal 2023
1.	Percentage of fees received by electronic payment methods.	85%	90%	95%
1.	Percentage of campaign finance reports filed on or before required date.	96%	96%	97%
1.	Percentage of committees in compliance, based on audit findings.	95%	95%	96%
1.	Percentage of lobbyist time reports completed on or before the required date.	99%	99%	99%
1.	Percentage of registered principals completing their Statements of Lobbying Activities and Expenditures on or before the required date.	99%	99%	99%

Prog. No.	Performance Measure	Goal 2021	Goal 2022	Goal 2023
1.	Percentage of principals in compliance, based on audit findings.	99%	99%	99%
1.	Percentage of required Statements of Economic Interest filed on or before the required date.	96%	96%	97%
1.	Statements of Economic Interest filed electronically.	95%	96%	97%

Note: Based on fiscal year.

Organizational chart



Agency Total by Fund Source

Ethics Commission

2123 Biennial Budget

		ANNUAL SUMMARY				BIENNIAL SUMMARY					
Source of Funds		Prior Year Total	Adjusted Base	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	Base Year Doubled (BYD)	Biennial Request	Change From (BYD)	Change From BYD %
GPR	S	\$689,226	\$925,000	\$956,200	\$956,200	4.55	4.55	\$1,850,000	\$1,912,400	\$62,400	3.4%
Total		\$689,226	\$925,000	\$956,200	\$956,200	4.55	4.55	\$1,850,000	\$1,912,400	\$62,400	3.4%
PR	S	\$512,334	\$525,600	\$610,800	\$643,200	4.45	4.45	\$1,051,200	\$1,254,000	\$202,800	19.3%
Total		\$512,334	\$525,600	\$610,800	\$643,200	4.45	4.45	\$1,051,200	\$1,254,000	\$202,800	19.3%
Grand Total		\$1,201,560	\$1,450,600	\$1,567,000	\$1,599,400	9.00	9.00	\$2,901,200	\$3,166,400	\$265,200	9.1%

Agency Total by Program

521 Ethics Commission

2123 Biennial Budget

Source of Funds	ANNUAL SUMMARY						BIENNIAL SUMMARY			
	Prior Year Actual	Adjusted Base	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	Base Year Doubled (BYD)	Biennial Request	Change From (BYD)	Change From BYD %
01 ETHICS, CAMPAIGN FINANCE AND LOBBYING REGULATION										
Non Federal										
GPR	\$689,226	\$925,000	\$956,200	\$956,200	4.55	4.55	\$1,850,000	\$1,912,400	\$62,400	3.37%
S	\$689,226	\$925,000	\$956,200	\$956,200	4.55	4.55	\$1,850,000	\$1,912,400	\$62,400	3.37%
PR	\$512,334	\$525,600	\$610,800	\$643,200	4.45	4.45	\$1,051,200	\$1,254,000	\$202,800	19.29%
S	\$512,334	\$525,600	\$610,800	\$643,200	4.45	4.45	\$1,051,200	\$1,254,000	\$202,800	19.29%
Total - Non Federal	\$1,201,560	\$1,450,600	\$1,567,000	\$1,599,400	9.00	9.00	\$2,901,200	\$3,166,400	\$265,200	9.14%
S	\$1,201,560	\$1,450,600	\$1,567,000	\$1,599,400	9.00	9.00	\$2,901,200	\$3,166,400	\$265,200	9.14%
PGM 01 Total	\$1,201,560	\$1,450,600	\$1,567,000	\$1,599,400	9.00	9.00	\$2,901,200	\$3,166,400	\$265,200	9.14%
GPR	\$689,226	\$925,000	\$956,200	\$956,200	4.55	4.55	\$1,850,000	\$1,912,400	\$62,400	3.37%
S	\$689,226	\$925,000	\$956,200	\$956,200	4.55	4.55	\$1,850,000	\$1,912,400	\$62,400	3.37%
PR	\$512,334	\$525,600	\$610,800	\$643,200	4.45	4.45	\$1,051,200	\$1,254,000	\$202,800	19.29%
S	\$512,334	\$525,600	\$610,800	\$643,200	4.45	4.45	\$1,051,200	\$1,254,000	\$202,800	19.29%
TOTAL 01	\$1,201,560	\$1,450,600	\$1,567,000	\$1,599,400	9.00	9.00	\$2,901,200	\$3,166,400	\$265,200	9.14%
S	\$1,201,560	\$1,450,600	\$1,567,000	\$1,599,400	9.00	9.00	\$2,901,200	\$3,166,400	\$265,200	9.14%
Agency Total	\$1,201,560	\$1,450,600	\$1,567,000	\$1,599,400	9.00	9.00	\$2,901,200	\$3,166,400	\$265,200	9.14%

Agency Total by Decision Item

Ethics Commission

2123 Biennial Budget

Decision Item	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
2000 Adjusted Base Funding Level	\$1,450,600	\$1,450,600	8.00	8.00
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	\$18,800	\$18,800	0.00	0.00
3010 Full Funding of Lease and Directed Moves Costs	\$0	\$0	0.00	0.00
4000 Deputy Administrator Position	\$97,600	\$130,000	1.00	1.00
TOTAL	\$1,567,000	\$1,599,400	9.00	9.00

Program Revenue

2123 Biennial Budget

	CODES	TITLES
DEPARTMENT	521	Ethics Commission
PROGRAM	01	Ethics, campaign finance and lobbying regulation
SUBPROGRAM		
NUMERIC APPROPRIATION	20	General program operations; PR

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$218,200	\$225,100	\$223,400	\$221,700
Filing Fees	\$28,100	\$30,000	\$30,000	\$30,000
Total Revenue	\$246,300	\$255,100	\$253,400	\$251,700
Expenditures	\$21,240	\$31,700	\$0	\$0
2000 Adjusted Base Funding Level	\$0	\$0	\$31,700	\$31,700
Total Expenditures	\$21,240	\$31,700	\$31,700	\$31,700
Closing Balance	\$225,060	\$223,400	\$221,700	\$220,000

Program Revenue

2123 Biennial Budget

	CODES	TITLES
DEPARTMENT	521	Ethics Commission
PROGRAM	01	Ethics, campaign finance and lobbying regulation
SUBPROGRAM		
NUMERIC APPROPRIATION	21	Gifts and grants

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$17,600	\$17,600	\$17,600	\$17,600
Total Revenue	\$17,600	\$17,600	\$17,600	\$17,600
Expenditures	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0
<u>Closing Balance</u>	\$17,600	\$17,600	\$17,600	\$17,600

Program Revenue

2123 Biennial Budget

	CODES	TITLES
DEPARTMENT	521	Ethics Commission
PROGRAM	01	Ethics, campaign finance and lobbying regulation
SUBPROGRAM		
NUMERIC APPROPRIATION	22	Materials and services

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$6,500	\$2,000	\$2,000	\$0
Copy fees & records requests	\$0	\$0	\$2,500	\$4,500
Total Revenue	\$6,500	\$2,000	\$4,500	\$4,500
Expenditures	\$4,500	\$0	\$0	\$0
2000 Adjusted Base Funding Level	\$0	\$0	\$4,500	\$4,500
Total Expenditures	\$4,500	\$0	\$4,500	\$4,500
<u>Closing Balance</u>	\$2,000	\$2,000	\$0	\$0

Program Revenue

2123 Biennial Budget

	CODES	TITLES
DEPARTMENT	521	Ethics Commission
PROGRAM	01	Ethics, campaign finance and lobbying regulation
SUBPROGRAM		
NUMERIC APPROPRIATION	23	Lobbying admin; PR

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$614,900	\$202,500	\$362,500	(\$122,100)
Lobbying License Fees	\$74,200	\$620,000	\$90,000	\$620,000
Total Revenue	\$689,100	\$822,500	\$452,500	\$497,900
Expenditures	\$486,594	\$460,000	\$0	\$0
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	\$0	\$0	\$9,000	\$9,000
4000 Deputy Administrator Position	\$0	\$0	\$97,600	\$130,000
3010 Full Funding of Lease and Directed Moves Costs	\$0	\$0	(\$21,400)	(\$21,400)
2000 Adjusted Base Funding Level	\$0	\$0	\$489,400	\$489,400
Total Expenditures	\$486,594	\$460,000	\$574,600	\$607,000
Closing Balance	\$202,506	\$362,500	(\$122,100)	(\$109,100)

Decision Item (DIN) - 2000

Decision Item (DIN) Title - Adjusted Base Funding Level

NARRATIVE

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Decision Item by Line

2123 Biennial Budget

	CODES	TITLES
DEPARTMENT	521	Ethics Commission
	CODES	TITLES
DECISION ITEM	2000	Adjusted Base Funding Level

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$551,900	\$551,900
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$3,800	\$3,800
05	Fringe Benefits	\$192,600	\$192,600
06	Supplies and Services	\$700,700	\$700,700
07	Permanent Property	\$1,600	\$1,600
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
17	Total Cost	\$1,450,600	\$1,450,600
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	7.00	7.00
20	Unclassified Positions Authorized	1.00	1.00

Decision Item by Numeric

Ethics Commission

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	2000	Adjusted Base Funding Level			
01	Ethics, campaign finance and lobbying regulation				
	01 General program ops; GPR	\$700,000	\$700,000	4.55	4.55
	05 Investigations	\$225,000	\$225,000	0.00	0.00
	20 General program operations; PR	\$31,700	\$31,700	0.00	0.00
	22 Materials and services	\$4,500	\$4,500	0.00	0.00
	23 Lobbying admin; PR	\$489,400	\$489,400	3.45	3.45
	Ethics, campaign finance and lobbying regulation SubTotal	\$1,450,600	\$1,450,600	8.00	8.00
	Adjusted Base Funding Level SubTotal	\$1,450,600	\$1,450,600	8.00	8.00
	Agency Total	\$1,450,600	\$1,450,600	8.00	8.00

Decision Item by Fund Source

Ethics Commission

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
Decision Item	2000	Adjusted Base Funding Level				
	GPR	S	\$925,000	\$925,000	4.55	4.55
	PR	S	\$525,600	\$525,600	3.45	3.45
	Total		\$1,450,600	\$1,450,600	8.00	8.00
Agency Total			\$1,450,600	\$1,450,600	8.00	8.00

Decision Item (DIN) - 3003

Decision Item (DIN) Title - Full Funding of Continuing Position Salaries and Fringe Benefits

NARRATIVE

Standard Budget Adjustment - Full Funding of Continuing Position Salaries and Fringe Benefits

Decision Item by Line

2123 Biennial Budget

	CODES	TITLES
DEPARTMENT	521	Ethics Commission
	CODES	TITLES
DECISION ITEM	3003	Full Funding of Continuing Position Salaries and Fringe Benefits

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$5,600	\$5,600
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$13,200	\$13,200
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
17	Total Cost	\$18,800	\$18,800
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Ethics Commission

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	3003	Full Funding of Continuing Position Salaries and Fringe Benefits			
01	Ethics, campaign finance and lobbying regulation				
	01 General program ops; GPR	\$9,800	\$9,800	0.00	0.00
	23 Lobbying admin; PR	\$9,000	\$9,000	0.00	0.00
	Ethics, campaign finance and lobbying regulation SubTotal	\$18,800	\$18,800	0.00	0.00
	Full Funding of Continuing Position Salaries and Fringe Benefits SubTotal	\$18,800	\$18,800	0.00	0.00
	Agency Total	\$18,800	\$18,800	0.00	0.00

Decision Item by Fund Source

Ethics Commission

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
Decision Item	3003	Full Funding of Continuing Position Salaries and Fringe Benefits				
	GPR	S	\$9,800	\$9,800	0.00	0.00
	PR	S	\$9,000	\$9,000	0.00	0.00
	Total		\$18,800	\$18,800	0.00	0.00
Agency Total			\$18,800	\$18,800	0.00	0.00

Decision Item (DIN) - 3010

Decision Item (DIN) Title - Full Funding of Lease and Directed Moves Costs

NARRATIVE

Standard Budget Adjustment - Full Funding of Lease and Directed Moves Costs

Decision Item by Line

2123 Biennial Budget

	CODES	TITLES
DEPARTMENT	521	Ethics Commission
	CODES	TITLES
DECISION ITEM	3010	Full Funding of Lease and Directed Moves Costs

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$0	\$0
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$0	\$0
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
17	Total Cost	\$0	\$0
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Ethics Commission

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	3010	Full Funding of Lease and Directed Moves Costs			
01	Ethics, campaign finance and lobbying regulation				
	01 General program ops; GPR	\$21,400	\$21,400	0.00	0.00
	23 Lobbying admin; PR	(\$21,400)	(\$21,400)	0.00	0.00
	Ethics, campaign finance and lobbying regulation SubTotal	\$0	\$0	0.00	0.00
	Full Funding of Lease and Directed Moves Costs SubTotal	\$0	\$0	0.00	0.00
	Agency Total	\$0	\$0	0.00	0.00

Decision Item by Fund Source

Ethics Commission

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
Decision Item	3010	Full Funding of Lease and Directed Moves Costs				
	GPR	S	\$21,400	\$21,400	0.00	0.00
	PR	S	(\$21,400)	(\$21,400)	0.00	0.00
	Total		\$0	\$0	0.00	0.00
Agency Total			\$0	\$0	0.00	0.00

Decision Item (DIN) - 4000

Decision Item (DIN) Title - Deputy Administrator Position

NARRATIVE

A narrative explanation of the decision item begins on the next page.

The Wisconsin Ethics Commission is requesting authority to create an unclassified Deputy Administrator position. Consistent with the guidelines for creating agency budget requests, the Commission is not seeking any additional funds from GPR.

I. FUNDING

The Commission proposes to fund the deputy administrator position using a two-step approach that relies on a one-time surcharge and a subsequent permanent fee increase in lobbying license fees. This two-step approach is necessary because principals register for legislative sessions (a two year period that begins in January of an odd-numbered year and ends in December of an even-numbered year) while the Commission’s funding is based on a fiscal year based biennium (beginning July 1 of an odd-numbered year and ending June 30 of the next odd number year). Further complicating the fiscal picture is the fact that principals are allowed to register and authorize lobbyists beginning in a December prior to a new legislative session. As a result, nearly all of the fees for a Legislative Session are collected before the beginning of the next fiscal biennium. Without this two-tiered approach, the Commission would not be able to fund the much-needed position until January 2023 at the absolute earliest.

The Commission’s proposal would only apply to lobbying principals (a class composed almost entirely of corporations that hire lobbyists). Specifically, the surcharge and fee increase would be tied to the fees provided in [Wis. STAT. § 13.75\(1g\)\(b\)](#) and [\(d\)](#). The first step in the Commission’s proposal is a one-time surcharge to those fees. Specifically, the Commission requests that a one-time surcharge of \$55 be added to any fees accrued under those statutes for the 2021-2022 legislative session. The surcharge would be assessed as of July 1, 2021, for all fees accrued for that session to that point. Any principal that has registered and authorized lobbyists prior to July 1, 2021, will be billed the surcharge once the budget is approved. Any principal registering and authorizing lobbyists for the 2021-2022 legislative session thereafter will pay the surcharge at the same time as their fees.

The Commission’s second step in the proposal is to incorporate that \$55 increase into the statute for future legislative session. Starting in January 2023, the position would be funded by increasing the fees in [Wis. STAT. § 13.75\(1g\)\(b\)](#) and [\(d\)](#) by \$55. The new increased fee would apply to any fees collected under those statutes for the 2023-2024 Legislative Session. Because principals pay these fees beginning in December 2022, this fee increase would need to be approved prior to that time. The Commission would begin collecting the increased fee in December 2022 for the 2023-2024 Legislative Session. The surcharge and increase in fees will cover the full cost of salary and fringe benefits for this unclassified position.

	Surcharge
July 2021 – December 2022	\$142,000

	New Fee Rate
January 2023 – June 2023	\$121,800

Decision Item 4000 increase in revenue in biennium: \$263,800

II. JUSTIFICATION FOR THE POSTION

This position is necessary for several reasons. First, the workload of the Commission has increased significantly since its inception. The two areas with the most quantifiable increases are complaints and advice. In 2016-2017 (the first two years of the Commission), there were 48 complaints filed with the Commission. In 2018-2019, the Commission received 169 complaints. As of September 2020, the Commission has received 58 complaints. It is anticipated that the Commission will receive at least as many complaints as it received each year in the previous two years.

In the context of requests for advice, the Commission has seen a significant increase in requests for advice. When referring to requests for advice, the data which follows refers only to requests which were logged in for advice to be issued either by the Administrator or the Commission. These numbers do not include the numerous times daily that staff provides advice via email and telephone that do not result in advice issued by the Administrator or the Commission. In 2016 and 2017, the Commission received a total of 29 logged requests for advice. In 2018-2019, that number increased to 72 logged requests. As of September 2020, the Commission has received 27 logged in requests. Prior to the end of 2020, that number is expected to be between 45-55 logged requests for the year.

It is important to note that much of this additional workload has come from increased activity at the state level. The Commission is committed to working closer with local governments for training, advice, and complaints. As those efforts increase, the Commission expects a concomitant increase working to promote sound, ethical government at the local government level.

Despite doubling the volume of the Commission's work in the areas of complaints and advice since its inception, this work continues to be done almost exclusively by two individuals: the Administrator and the Commission's attorney. This includes time spent in processing the work, conducting research, analyzing the matter, and preparing recommendations for the Commission. Though not quantified in this memo for the sake of brevity, there are several other areas where the volume of work has significantly increased: auditing, rulemaking, and training. Because the Administrator and attorney are the only ones currently with the knowledge, skills, and ability required to do this work without violating HR laws and policies, the dramatically increased workload has taxed the Commission's ability to effectively and efficiently perform essential functions. As the workload continues to increase, there will be additional challenges in providing timely advice, efficiently and accurately conducting audits, and providing training and information to the regulated communities and the public. Presently, the Administrator is spending approximately one half of his time doing this work. Providing this additional position will allow for the Administrator to delegate this work and reduce the amount of time the Administrator spends on these matters to approximately one quarter of his time.

Second, creating a deputy administrator position will provide the Administrator more ability to focus on Administrator-level tasks that are crucial to proper agency operations. Specifically, it will allow the Administrator to focus more on policy issues, rulemaking, and legislation. It will allow the Administrator to focus more on needed administrative improvement through improved information technology and more guidance, support, and training of Commission staff. For example, the increased workload has hindered the Administrator's ability to work on major projects such as necessary upgrades to the Campaign Finance Information System. This website is the tool used for filing campaign finance reports and making them instantly available to the public. It is at least 10 years old and the software will not be supported for more than another year. The Commission has undertaken to improve this website using resources available at a much less costly rate than what a new, commercial product would cost. The deputy administrator could assist in this process and make it easier for the Commission to achieve its goal of providing the best possible product at the most reasonable cost.

Finally, this position would provide the Commission a management level person who does more than just assist with the increased workload. The Commission does not currently have a staff member in an appropriate managerial-level position to delegate certain tasks. Some of these tasks are, by necessity, being delegated to the attorney under the Administrator's supervision. The successful deputy administrator will be a high-level partner with the Administrator to make the Commission more successful in carrying out its duties in its program areas.

Without the addition of a deputy administrator position, the Commission staff's workload will likely be taxed to an extent that may require significant reworking of staff roles and duties to comply with HR requirements. Major projects will either need to be delayed or be completed at much higher expense than they would cost otherwise. Further outreach and engagement at the local level would be reduced or delayed.

Decision Item by Line

2123 Biennial Budget

	CODES	TITLES
DEPARTMENT	521	Ethics Commission
	CODES	TITLES
DECISION ITEM	4000	Deputy Administrator Position

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$71,300	\$95,000
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$26,300	\$35,000
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
17	Total Cost	\$97,600	\$130,000
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	1.00	1.00

Decision Item by Numeric

Ethics Commission

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	4000	Deputy Administrator Position			
01	Ethics, campaign finance and lobbying regulation				
	23 Lobbying admin; PR	\$97,600	\$130,000	1.00	1.00
	Ethics, campaign finance and lobbying regulation SubTotal	\$97,600	\$130,000	1.00	1.00
	Deputy Administrator Position SubTotal	\$97,600	\$130,000	1.00	1.00
	Agency Total	\$97,600	\$130,000	1.00	1.00

Decision Item by Fund Source

Ethics Commission

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
Decision Item	4000	Deputy Administrator Position				
	PR	S	\$97,600	\$130,000	1.00	1.00
	Total		\$97,600	\$130,000	1.00	1.00
Agency Total			\$97,600	\$130,000	1.00	1.00

ACT 201

Proposal under s. 16.42(4)(b)2.: **0% change in each fiscal year**

FY: **FY22 and FY23**

Agency: **ETHICS - 521**

Exclusions: Federal
Debt Service

Columns A-G were prepopulated for agencies to reflect state operations adjusted base and reductions agreed to by DOA and LFB. See Appendix H for instructions on how to complete these templates.

Proposed \$ and Proposed FTE columns reflect total agency proposed spending and positions for indicated fiscal year. These amounts should include standard budget adjustments (SBAs), any proposed reallocations or reductions to meet the target, and any other requests that the agency would want considered under this proposal.

Appropriations with zero dollars and zero FTEs are not loaded into the template. If you have any questions, contact your SBO analyst.

IF YOUR AGENCY PLANS TO TAKE THE SAME CUTS OVER BOTH YEARS, YOU SHOULD ONLY FILL OUT ONE GRID FOR 0% GROWTH AND ONE GRID FOR 5% REDUCTION, THEN CHANGE FY22 TO FY22 AND 23.

Agency	Appropriation		Fund Source	(See Note 1)			Proposed Budget 2021-22, 2022-23		Item Ref.	Change from Adj Base		(See Note 2)		Change from Adjusted Base after Removal of SBAs	
	Alpha	Numeric		Adjusted Base \$	FTE	0% Change Target	Proposed \$	Proposed FTE		\$	FTE	Remove SBAs \$	FTE	\$	FTE
	521	1a		101	GPR	\$700,000.00	4.55	0		731,200	4.55		31,200	0.00	(31,200)
521	1be	105	GPR	\$225,000.00	0.00	0	225,000	0.00		0	0.00	0	0.00	0	0.00
521	1g	120	PR	\$31,700.00	0.00	0	31,700	0.00		0	0.00	0	0.00	0	0.00
521	1i	122	PR	\$4,500.00	0.00	0	4,500	0.00		0	0.00	0	0.00	0	0.00
521	1im	123	PR	\$489,400.00	3.45	0	477,000	3.45	1	(12,400)	0.00	12,400	0.00	0	0.00
Totals				1,450,600	8.00	0	1,469,400	8.00		18,800	0.00	(18,800)	0.00	0	0.00

Note 1: Reduction target must be met within state operations appropriations, but may be allocated across those appropriations and fund sources.

Note 2: Amounts should be SBAs (DINs 3001 - 3011) from agency request multiplied by -1.

Target Reduction = 0
Difference = **0**
Should equal \$0

Items - Describe proposed changes (excl. SBAs) to reach target or other priorities of agency

1	Includes: adjusted base and standard budget adjustments. Excludes DIN4000, which would negatively impact the Commission by not adding a necessary deputy administrator position. This position is essential in ensuring the staff's ability to timely respond to requests for advice and complaints. The Commission needs this position to assist with responding to local governments requests for training and advice, and assistance with complaints. The position will assist with auditing, rulemaking, and training for campaign finance, lobbying, and ethics. The position will balance the workload of the Administrator, to allow the Administrator to focus on policy issues, legislation, and necessary IT projects. The deputy administrator will also be available for task delegation in times when the Administrator is out of the office. For further information on this position request, see Decision Item 4000.
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ACT 201

Proposal under s. 16.42(4)(b)1.: 5% change in each fiscal year

FY: **FY22**

Agency: **ETHICS - 521**

Exclusions: Federal
Debt Service

Columns A-G were prepopulated for agencies to reflect state operations adjusted base and reductions agreed to by DOA and LFB. See Appendix H for instructions on how to complete these templates.

Proposed \$ and Proposed FTE columns reflect total agency proposed spending and positions for indicated fiscal year. These amounts should include standard budget adjustments (SBAs), any proposed reallocations or reductions to meet the target, and any other requests that the agency would want considered under this proposal.

Appropriations with zero dollars and zero FTEs are not loaded into the template. If you have any questions, contact your SBO analyst.

IF YOUR AGENCY PLANS TO TAKE THE SAME CUTS OVER BOTH YEARS, YOU SHOULD ONLY FILL OUT ONE GRID FOR 0% GROWTH AND ONE GRID FOR 5% REDUCTION, THEN CHANGE FY22 TO FY22 AND 23.

Agency	Appropriation		Fund Source	Adjusted Base		(See Note 1)	Proposed Budget 2021-22		Item Ref.	Change from Adj Base		(See Note 2)		Change from Adjusted Base after Removal of SBAs	
	Alpha	Numeric		\$	FTE	5% Reduction Target	Proposed \$	Proposed FTE		\$	FTE	Remove SBAs	FTE	\$	FTE
521	1a	101	GPR	\$700,000.00	4.55	(35,000)	731,200	4.55		31,200	0.00	(31,200)	0.00	0	0.00
521	1be	105	GPR	\$225,000.00	0.00	(11,300)	200,000	0.00	1	(25,000)	0.00	0	0.00	(25,000)	0.00
521	1g	120	PR	\$31,700.00	0.00	(1,600)	31,700	0.00		0	0.00	0	0.00	0	0.00
521	1i	122	PR	\$4,500.00	0.00	(200)	2,000	0.00	2	(2,500)	0.00	0	0.00	(2,500)	0.00
521	1im	123	PR	\$489,400.00	3.45	(24,500)	431,900	3.45	3	(57,500)	0.00	12,400	0.00	(45,100)	0.00
Totals				1,450,600	8.00	(72,600)	1,396,800	8.00		(53,800)	0.00	(18,800)	0.00	(72,600)	0.00

Note 1: Reduction target must be met within state operations appropriations, but may be allocated across those appropriations and fund sources.

Target Reduction = (72,600)

Note 2: Amounts should be SBAs (DINs 3001 - 3011) from agency request multiplied by -1.

Difference = **0**
Should equal \$0

Items - Describe proposed changes (excl. SBAs) to reach target or other priorities of agency

1	Reduces Supplies & Services by \$25,000; this reduction may inhibit the ability for the Commission Staff and/or outside Counsel to conduct investigations as authorized by the Commissioners.
2	Reduces Supplies & Services by \$2,500; reduction in spending authority may inhibit the ability of the Commission to cover all costs associated with records requests with program revenue, which would negatively impact GPR appropriations.
3	The proposed budget reduces the adjusted base and does not include the standard budget adjustments. This change will impact the Commission negatively by limiting the agency's ability to maintain statutorily required programs and websites. The Commission is currently in the process of a major overhaul of the Lobbying website, and maintenance of the site post go-live could be severely impacted by this reduction in spending authority. This scenario also excludes DIN4000, which would negatively impact the Commission by not adding a necessary deputy administrator position. This position is essential in ensuring the staff's ability to timely respond to requests for advice and complaints. The Commission needs this position to assist with responding to local governments requests for training and advice, and assistance with complaints. The position will assist with auditing, rulemaking, and training for campaign finance, lobbying, and ethics. The position will balance the workload of the Administrator, to allow the Administrator to focus on policy issues, legislation, and necessary IT projects. The deputy administrator will also be available for task delegation in times when the Administrator is out of the office. For further information on this position request, see Decision Item 4000.

ACT 201

Proposal under s. 16.42(4)(b)1.: 5% change in each fiscal year

FY: **FY23**

Agency: **ETHICS - 521**

IF YOUR AGENCY PLANS TO TAKE THE SAME CUTS OVER BOTH YEARS, YOU SHOULD ONLY FILL OUT ONE GRID FOR 0% GROWTH AND ONE GRID FOR 5% REDUCTION, THEN CHANGE FY22 TO FY22 AND 23.

Agency	Appropriation		Fund Source	Adjusted Base		(See Note 1)	Proposed Budget 2022-23			Change from Adj Base		(See Note 2)		Change from Adjusted Base after Removal of SBAs	
	Alpha	Numeric		\$	FTE	5% Reduction Target	Proposed \$	Proposed FTE	Item Ref.	\$	FTE	\$	FTE	\$	FTE
521	1a	101	GPR	\$700,000.00	4.55	(35,000)	731,200	4.55		31,200	0.00	(31,200)	0.00	0	0.00
521	1be	105	GPR	\$225,000.00	0.00	(11,300)	200,000	0.00	1	(25,000)	0.00	0	0.00	(25,000)	0.00
521	1g	120	PR	\$31,700.00	0.00	(1,600)	31,700	0.00		0	0.00	0	0.00	0	0.00
521	1i	122	PR	\$4,500.00	0.00	(200)	500	0.00	2	(4,000)	0.00	0	0.00	(4,000)	0.00
521	1im	123	PR	\$489,400.00	3.45	(24,500)	433,400	3.45	3	(56,000)	0.00	12,400	0.00	(43,600)	0.00
Totals				1,450,600	8.00	(72,600)	1,396,800	8.00		(53,800)	0.00	(18,800)	0.00	(72,600)	0.00

Note 1: Reduction target must be met within state operations appropriations, but may be allocated across those appropriations and fund sources.

Note 2: Amounts should be SBAs (DINs 3001 - 3011) from agency request multiplied by -1.

Target Reduction = (72,600)

Difference = 0

Should equal \$0

Items - Describe proposed changes (excl. SBAs) to reach target or other priorities of agency

1	Reduces Supplies & Services by \$25,000; this reduction may inhibit the ability for the Commission Staff and/or outside Counsel to conduct investigations as authorized by the Commissioners.
2	Reduces Supplies & Services by \$4,000; reduction in spending authority may inhibit the ability of the Commission to cover all costs associated with records requests with program revenue, which would negatively impact GPR appropriations.
3	The proposed budget reduces the adjusted base and does not include the standard budget adjustments. This change will impact the Commission negatively by limiting the agency's ability to maintain statutorily required programs and websites. The Commission is currently in the process of a major overhaul of the Lobbying website, and maintenance of the site post go-live could be severely impacted by this reduction in spending authority. This scenario also excludes DIN4000, which would negatively impact the Commission by not adding a necessary deputy administrator position. This position is essential in ensuring the staff's ability to timely respond to requests for advice and complaints. The Commission needs this position to assist with responding to local governments requests for training and advice, and assistance with complaints. The position will assist with auditing, rulemaking, and training for campaign finance, lobbying, and ethics. The position will balance the workload of the Administrator, to allow the Administrator to focus on policy issues, legislation, and necessary IT projects. The deputy administrator will also be available for task delegation in times when the Administrator is out of the office. For further information on this position request, see Decision Item 4000.