

State of Wisconsin
Ethics Commission

CAMPAIGN FINANCE INFORMATION SYSTEM

OVERVIEW

Colette Reinke
Interim Administrator

Caroline Russell <i>Ethics Specialist</i>	Richard Bohringer <i>Ethics Specialist</i>
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ABOUT THE ETHICS COMMISSION


- Created by 2015 Wisconsin Act 118
- Administers Campaign Finance, Lobbying, Ethics Code
- Six members – Partisan Appointments
 - Two former judges, four others
 - Four year terms
- All actions require four votes
- Headed by Commission Administrator
- One Staff Counsel; Six Other Staff Positions
- Confidentiality: Advice & Investigations



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RESPONSIBILITIES

- Administer Wisconsin Statutes
 - Chapter 11: Campaign Finance
 - Subchapter III, Chapter 13: Lobbying
 - Subchapter III, Chapter 19: Code of Ethics




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WE'RE HERE TO HELP!
-ETHICAL STAFF-

Interim Administrator Colette Reinke	Program Staff Richard Bohringer
Staff Counsel David Buerger	Adam Harvell
	Caroline Russell
Office Manager Julie Nischik	(Vacant)
	(Vacant)

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LAY OF THE LAND


- FALL 2018 ELECTION REPORT FILING
- TIPS AND TRICKS TO AVOID COMMON ERRORS WHILE FILING CAMPAIGN FINANCE REPORTS
- LOBBYIST CONTRIBUTIONS RULES REVIEW
- ETHICS CONSIDERATIONS DURING ELECTION SEASON
- UPDATE ON EYE ON LOBBYING REDEVELOPMENT

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FILING CAMPAIGN FINANCE REPORTS

CAMPAIGN FINANCE REPORTS

- Continuing Reports
 - All committees that are not exempt will report activity at least twice a year in the January Continuing and July Continuing
- Election Reports
 - Additional reports are required when a committee participates in an election, either by appearing on the ballot, making contributions or expenditures for a candidate on the ballot
- September Report
 - Registered committees receiving or spending for a candidate participating in the election and incumbent partisan candidates not on the ballot in even numbered years
- No Activity Reports
 - File a no activity report if you incurred no obligations, made no expenditures, and did not accept any contributions



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CAMPAIGN FINANCE REPORTS

CONTINUED

- 72-Hour Reports
 - Some activity that takes place around the time of a primary or an election must be reported within 72-hours.
- 72-Hour reports must be filed if:
 - Accepting contributions of \$1,000 or more cumulatively from a single contributor within a 14 day period before a primary or an election. This applies to state candidate committees, political party committees, and legislative campaign committees
 - Spending \$2,500 or more in aggregate on non-coordinated express advocacy within 60 days of a primary or an election where the candidate identified in the advocacy is participating. This applies to political action committees, independent expenditure committees, and any other person other than a committee



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FILING SCHEDULE FOR UPCOMING FALL 2018 ELECTIONS

Report	Due	Period Covered
Fall Pre-Primary	August 6, 2018	July 1-July 30
September Report	September 25, 2018	July 31-August 31
Fall Pre-Election	October 29, 2018	September 1-October 22
January Continuing 2019	January 15, 2019	October 23-December 31

<https://ethics.wi.gov/Pages/CampaignFinance/ReportPeriods.aspx>



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LATE REPORTS

- If your report is late, file as soon as possible!
- For reports filed late, the Commission may issue a settlement under that standard schedule

<https://ethics.wi.gov/Pages/Enforcement/SettlementSchedules.aspx>



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STANDARD SETTLEMENTS

Late Filing of Continuing Campaign Finance Reports

(Calendar) Days Late:	First Violation:	Second or Greater Violation:
0-30	Warning	Warning
31-60	\$100	\$200
61-90	\$200	\$300
91-120	\$300	\$400
Over 120	\$500	\$500




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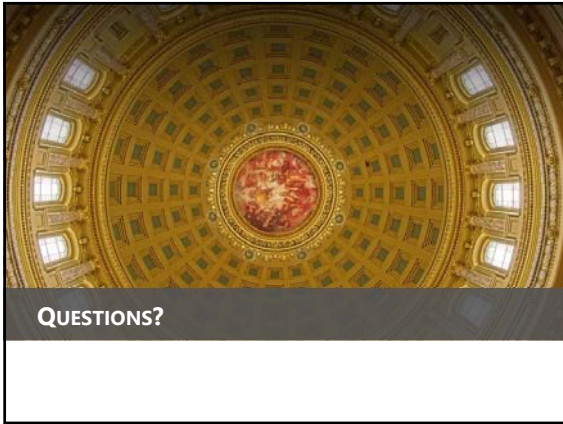
STANDARD SETTLEMENTS

Late Filing of Pre-Primary, Pre-Election, and Special Post-Election Reports

(Business) Days Late:	Settlement Amount:
1	\$100
2	\$150
3	\$200
4	\$250
5	\$300
6	\$350
7	\$400
8	\$450
9	\$500



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COMPLETING REPORTS

- There are two ways to enter transactions into your reports
 - Entering individual transactions
 - Uploading transactions


Note: The menu for conduits will look different

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UPLOADING FROM A SPREADSHEET

- Spreadsheets are provided in CFIS, "Upload Transactions for Spreadsheet", you will upload receipts and expenses in separate spreadsheets
- After the Spreadsheet uploads, it will either be **Processed-No Errors** or **Processed-Errors**
- If there are errors, the final column of your uploaded spreadsheet that **processed with errors** will list them

A step by step guide is available in the [CFIS User's Guide](#) starting on page 6




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CORRECTING ERRORS IN UPLOAD

- Open the document that was **Processed-Errors**
- Make any necessary changes and save the file (using "Save As") and upload
- Only upload transactions which you modified
- **Do not** reupload the original spreadsheet that **processed without errors** a second time—this creates duplicates.
- If you duplicate transactions or failed to resolve all corrections you also make modifications within "File Report/Edit Pending Transactions"

See User's Guide page 8 - <https://ethics.wi.gov/Resources/CFIS-UsersGuide.pdf>




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REPORTING CONDUIT CONTRIBUTIONS

- **When entering conduit contributions with the passcode make sure you accept in the correct filing period.** Once you press accept, you can only change the filing period or acceptance date by editing each individual transaction. If you choose the wrong value, and delete the transactions you will need to either manually enter the contributions or type the information onto the upload templates. *Passcodes can only be used once.*
- If the conduit transmittal passcode and transactions are entered in to the wrong filing period, you may need to delete them all from that period, and individually enter each conduit contribution.

★ It is important to double check the filing period before pressing accept when reporting conduit contributions.



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FILING REPORTS

Always select the filing period and “View All Transactions” so that all transactions are filed in the report

The screenshot shows a web interface for filing reports. A yellow box highlights the 'Filing Period Name' dropdown menu, which is currently set to 'Fall Pre-Primary 2018'. Another yellow box highlights the 'View All Transactions' checkbox, which is checked. A third yellow box highlights the 'Refresh' button. Below these are fields for 'Transaction Type', 'Transaction Category', 'Filing Year', and 'Contributor/News Name'. There are also checkboxes for 'Non-Compliant' and 'Transactional Letter Not Generated', and a 'Refreshed Fund' checkbox. At the bottom, there are buttons for 'Refresh', 'Cancel', and 'Filter'. A table header is visible at the bottom with columns for Transaction, Contributor/Party, Transaction Type, Transaction Category, Amount, Address, City, State, Zip, Segregated Fund Flag, Compliance Letter, and Date.

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TIPS FOR ACCURATE REPORTS

- Set your default filing period to avoid entering transactions into the wrong period.
- This is in the reminders section (top right corner of home screen).

The screenshot shows the 'Reminders' section of the ethics commission system. A blue arrow points to the 'Default Filing Period' dropdown menu, which is currently set to 'Fall Pre-Primary 2018'. A red circle highlights this dropdown. The 'Reminders' section includes links for 'Campaign Finance Training - Madison & Eau Claire', 'JULY FINANCIAL REPORTS - Due 7/15/2018', and 'September Office Schedule for Campaign Finance 2018'. Below these are sections for 'Upcoming Filing Periods' and 'Dear Dates' for various filing periods: 'Fall Pre-Primary 2018', 'September Report 2018', 'Fall Pre-Election 2018', and 'January Continuing 2019'. At the bottom, there is a 'Default Filing Period' dropdown and a 'SET DEFAULT FILING PERIOD' button.

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TIPS FOR ACCURATE REPORTS

- Every in-kind contribution requires a matching expenditure. This balances the in-kind contribution to \$0
- When reporting contributions collected from ActBlue, PayPal or similar vendors, the entire contribution must be reported and an expense for the fees associated with that contribution.
- Scan or photocopy all checks received

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TIPS FOR ACCURATE REPORTING

- Always preview the report before filing to state



- Previewing will allow you to view the report and confirm that the:
Cash Balance Beginning of Report
+ Total Receipts
- Total Disbursements
= Cash Balance End of Report

If these fields do not balance, your report has an error in its transactions or in its reported cash balances.



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QUESTIONS?




LOBBYIST CONTRIBUTIONS

LOBBYIST CONTRIBUTIONS


- Lobbyists may make contributions to candidates for local and non-partisan office if the candidate is not currently holding a partisan office
- A lobbyist may make a personal contribution to a partisan elected official or candidate for partisan state office:
From the first day authorized by law for the circulation of nomination papers until general or special election day
AND the Legislature has concluded its final floor period
AND the Legislature is not in special or extraordinary session (check <https://legis.wi.gov>)
-This excludes senators not up for re-election (cannot contribute to senators of even-numbered districts for the 2018 general election)
- A lobbyist may deliver a contribution on behalf of a committee (PAC, Conduit, etc.) at any time

*note: this restriction applies to lobbyists that represent limited lobbying principals



LOBBYISTS CONTRIBUTING THROUGH CONDUITS

- Contributions made by a lobbyist through a Conduit, are personal contributions from the lobbyist and are subject to the same restrictions.
- Exercise caution when authorizing contributions right before an election. Take steps to ensure that the contribution will be received by the candidate committee by the election so the contribution does not fall outside of the allowable window.
- It may be useful to provide conduit administrator with a list of lobbyists and time frame in which their contributions are allowed.





ETHICS CONSIDERATIONS DURING ELECTION SEASON


WISCONSIN STATUTES §13.625

No lobbyist and no business or organization that employs a lobbyist (principal) may give anything of pecuniary value to an elected state official, candidate for state elective office, legislative employee, or agency official

Note: Individuals representing limited lobbying principals are lobbyists, and therefore are subject to the same prohibitions as lobbyists laid out in [Wis. Stat. §13.625](#)

Except...

[Eth. Bd. Op. 06-08](#) ; [Eth. Bd. Op. 97-12](#) ; [80 Op. Att'y Gen. 205 \(1992\)](#)




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EXCEPTIONS TO §13.625

AVAILABLE TO THE GENERAL PUBLIC

- Items and services a lobbying principal makes available to the general public
- Items and services are available to the general public if:
Available to anyone who wants or is eligible for the item or service
AND there is no preference or advantage to state officials, and
AND there is no preferential offer or notice to state officials that the items or services are available.

[Wis. Stats. Sec. 13.625 \(2\)](#); [80 Op. Att'y Gen. 205 \(1992\)](#)




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MORE EXCEPTIONS TO §13.625

- Reimbursement to an elected state official, candidate for state elective office, legislative employee, or agency official for expenses related to presenting a talk
- Informational materials that are not of substantial value
- Giving items or services of value to a relative or member of the same household


[Wis. Stats. Sec. 13.625 \(6\), \(6t\), and \(7\)](#)



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CODE OF ETHICS


- Applies to organizations and individuals that are *not* lobbying principals or lobbyists
- [Wis. STAT. § 19.45\(3m\)](#)
 - No state public official may accept or retain any transportation, lodging, meals, food or beverage, or reimbursement thereof, except in accordance with [§ 19.56\(3\)](#).
- Exceptions:
 - Official talk or meeting
 - Unrelated to holding public office, available to general public
 - State benefit
 - Reported as an expense by a political committee
 - WEDC/Department of Tourism



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HYPOTHETICAL - CANDIDATES PRESENTING TO MEMBERSHIP

- A registered lobbying principal, that sponsors a PAC, would like to invite a State Senator and candidate on the fall ballot to address their organization's members at a meeting
 - Can the principal invite the senator to speak at the meeting?
 - Can they be paid?




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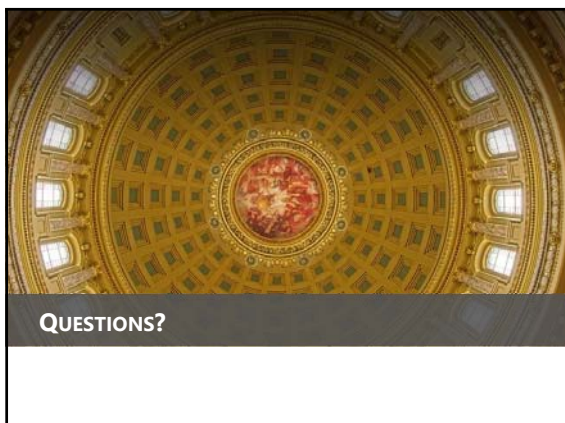
CANDIDATES PRESENTING TO MEMBERSHIP

- The principal may invite the senator to speak
- Because they are a state official, they may be reimbursed for actual and reasonable expenses

Wis. Stat. § § 13.625(7), 19.56(3)(a)
- If this was only a candidate, not a current legislator, they may be invited, but not paid, reimbursed, or provided with food/drink/gifts



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WHERE TO FIND MORE INFORMATION

- **Wisconsin Statutes**
 - <https://docs.legis.wisconsin.gov>
- **Ethics Commission Website**
 - <https://ethics.wi.gov>
- **Advisory Opinions**
 - Prompt, Confidential, Authoritative
- **Guidelines**



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