

521-ETHICS COMMISSION

Dept # 1521 Department Name ETHICS COMMISSION

RDA # RDA Title Retention Disposition PII

00002000. ETHICS GUIDELINES

EVT+6

SHSW

N

Series relates to initiation and development of guidelines on matters of general interest regarding ethics, campaign finance, or lobbying.

Research and choice of subjects may be directed by statute, or may be by staff or commission direction.

The policy papers and study files of the Secretary of State which transferred to the Ethics Board on July 1, 1990 have been incorporated into the record disposition schedule of this series.

RETENTION: EVENT (Adoption of new or revised guideline) + 6 years and transfer to State Archives (WHS)

00003000. FORMAL ADVISORY OPINIONS

EVT+6

SHSW

Y

These records include ethics, campaign finance, and lobbying law advisory opinion requests, responses, and related materials under Wis. Stat. § 19.46(2) and are confidential pursuant to Wis. Stat. §§ 19.46(2) and 19.55(4), except as specifically provided in Wis. Stat. § 19.55(4)(b). The Ethics Commission will publish the formal advisory opinion and records obtained in connection with the request for formal advice replacing the identity of any person, organization, or governmental body on whose behalf the formal opinion is requested with generic, descriptive terms as required by Wis. Stat. § 19.55(4)(c).

Transfer to WHS is subject to Wis. Stat. § 16.61(13)(d).

RETENTION: EVENT (Withdrawal of opinion) + 6 years and transfer to State Archives (WHS)

00004000. INFORMAL ADVISORY OPINIONS

EVT+6

DEST

Y

These records include ethics, campaign finance, and lobbying law informal opinion requests, responses, and related materials under Wis. Stat. § 19.46(2) and are confidential pursuant to Wis. Stat. §§ 19.46(2) and 19.55(4), except as specifically provided in Wis. Stat. § 19.55(4)(b).

This new RDA provides a separate event from the RDA for Formal Advisory Opinions; these records are stored and maintained separately.

RETENTION: EVENT (Date opinion issued) + 6 years and destroy confidential

00005000. ACTIONED COMPLAINT CASE FILES

EVT+6

SHSW

Y

Series contains all records of complaints that resulted in action. This may include authorizations for investigation, subpoenas, affidavits, findings of fact and conclusions, resolutions, and correspondence which are related to possible violations of ethics, campaign finance, or lobbying laws. All information remains confidential except as specifically provided in Wis. Stat. §§ 19.50(2) and 19.55(3).

Those records that were transferred to the Ethics Board from the Secretary of State on July 1, 1990 are all open to the public. These investigations were all closed before July 1, 1990. Former Ethics Board investigation records are confidential pursuant to Wis. Stat. § 19.55(2)(b) (2005-06).

Any new investigation initiated by the Ethics Commission will be closed to the public unless the exceptions prescribed in Wis. Stat. §§ 19.50(2) or 19.55(3) are met. Transfer to WHS is subject to Wis. Stat. § 16.61 (13)(d).

RETENTION: EVENT (Complaint closed) + 6 years and transfer to State Archives (WHS)

00006000. NON-ACTIONED COMPLAINT CASE FILES

EVT+6

DEST

Y

Series contains all records of investigations where action was not taken. All information remains confidential except as specifically provided in Wis. Stat. §§ 19.50(2) and 19.55(3).

Those records that were transferred to the Ethics Board from the Secretary of State on July 1, 1990 are all open to the public. These investigations were all closed before July 1, 1990. Former Ethics Board investigation records are confidential pursuant to Wis. Stat. § 19.55(2)(b) (2005-06).

Any new investigation initiated by the Ethics Commission will be closed to the public unless the exceptions prescribed in Wis. Stat. §§ 19.50(2) or 19.55(3) are met.

This RDA allows for the destruction of complaint records that are submitted to the Commission, but where no action is taken. There is limited value in maintaining records that did not result in any action.

RETENTION: EVENT (Complaint closed) + 6 years and destroy confidential

00007000. SETTLEMENT AGREEMENTS

EVT+6

SHSW

Y

Series contains settlement agreements reached after an alleged violation of Wis. Stat. ch. 11 Campaign Financing, Wis. Stat. ch. 13

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subchapter III Regulation of Lobbying, or Wis. Stat. ch. 19 subchapter III Code of Ethics for Public Officials and Employees, and signed by the individual or a representative of the organization, and the Administrator of the Ethics Commission. The series also contains settlement agreements that were issued, but not signed by either party, and either terminated by the Commission or referred for civil action.

Event = Date settlement agreement is signed by both parties, or the agreement is terminated by the Ethics Commission, or civil action is filed.

Signed settlement agreements are open for public review per Wis. Stat. § 19.49(1)(b). Unsigned settlement agreements are confidential, per Wis. Stat. § 19.50, 19.55(3).

Reason for creation: These records were identified as unique to the agency, and not easily maintained using existing agency RDAs.

RETENTION: EVENT (Date settlement agreement is signed by both parties, or the agreement is terminated by the Ethics Commission, or civil action is filed)+ 6 years and Transfer - State Archives (WHS)

<u>00008000.</u>	<u>STATEMENTS OF ECONOMIC INTERESTS (SEI)</u>	<u>EVT+3</u>	<u>DEST</u>	<u>Y</u>
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Pursuant to Wis. Stat. § 19.48(4)(a-c), series contains information on candidates for state public office, appointment nominees for state public office, and former state public officials filings of Statements of Economic Interest (SEIs). Records include, but are not limited to, related correspondence, mailing lists, Investment Board Quarterly Reports per Wis. Stat. § 19.43(5), telephone call logs relating to SEIs, and written requests to examine SEIs. In accordance with Wis. Stat. § 19.48(8), requests contain the full name and address of the requester and the name and address of the person the requester represents.

The official record will be maintained electronically for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents will be imaged or reformatted and subject to review, to ensure the images of these applications are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

RETENTION: EVENT (date of termination as a state public official, loss of election, or failure to obtain appointment confirmation from the Wisconsin Senate) + 3 years and destroy confidential

<u>00014000.</u>	<u>LOBBYIST REPORTS AND LICENSE APPLICATIONS, LOBBYING PRINCIPAL F</u>	<u>EVT+6</u>	<u>SHSW</u>	<u>Y</u>
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The records contain, but are not limited to, lobbying license requests, license revocation information, principal registration forms, authorization for specific lobbyists to lobby on a principal's behalf, principal's withdrawal of an authorization, statements of lobbying expenses, correspondence relating to issuance of the license, and all correspondence relating to a principal's information. Wis. Stat. §§ 13.63-13.65, 13.67-13.68, 13.695, and 13.74.

The official record will be maintained electronically for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents will be imaged or reformatted and subject to review, to ensure the images of these applications are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

RETENTION: EVENT (End of legislative session) + 6 years and transfer to State Archives (WHS)

<u>00022000.</u>	<u>CAMPAIGN FINANCE REPORTS, REGISTRATION STATEMENTS, AND AUDIT F</u>	<u>EVT+6</u>	<u>SHSW</u>	<u>Y</u>
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This records series includes, but is not limited to, campaign finance reports, registration statements, audit records, and related correspondence required or authorized by Wis. Stat. §§ 11.0102-11.0105, 11.0201-11.0204, 11.0301-11.0304, 11.0401-11.0404, 11.0501-11.0505, 11.0601-11.0605, 11.0701-11.0704, 11.0801-11.0804, 11.0901-11.0904, 11.1001, and 11.1304-11.1305.

This records series includes, but is not limited to: Campaign Finance Registration Statement, Campaign Finance Report, Special Report of Late Contribution, Conduit Special Report of Late Contribution, Oath of Independent Disbursements, Report of Independent Disbursements, Conduit Registration, Conduit Campaign Finance Report, Sponsoring Organization Campaign Registration Statement, Sponsoring Organization Campaign Registration Statement, Registration on Nonresident Political Action Committee.

The records contain financial information including, but not limited to, receipts and expenditures of candidates for statewide legislative and judicial elections, political party committees, political action committees, legislative campaign committees, referenda, corporations, and conduits.

The official record will be maintained electronically for the full retention period. To comply with Wis. Stat. §§ 16.61(7) and 137.20 for authenticity, accuracy, and accessibility the original input documents will be imaged or reformatted and subject to review, to ensure the images of these applications are electronically stored and the quality of these images is acceptable. Upon verification of the quality and retention of the electronic images, the input record will be destroyed confidentially.

RETENTION: EVENT (date of receipt) + 6 years and transfer to State Archives (WHS)