

Efficiency, Reform and Intergovernmental Affairs Committee
Special meeting to consider new ethics law
November 26, 2007

Attendance:

Committee Members

- Tracey Bartels
- Gary Bischoff
- Charles Busick
- Susan Cummings
- Peter Liepmann
- Brian Shapiro

Excused

- Hector Rodriguez

Also Attending

- Bea Havranek - Assistant County Atty.
- Don Gregorious - Legislator
- Lori Rosenberg - Ethics Panel
- Lanny Walter - Ethics Panel
- Susan Zimet - Legislator
- Brian Cahill - Legislator, Ethics Panel
- Tom Kadgen - LWV
- Art Richter - Citizens for Universal Healthcare
- Dave Donaldson - Legislature Chair

Meeting was called to order at 6:02 p.m. by committee chair Gary Bischoff.

Attendees introduced themselves.

Copies of Attorney General opinion regarding dual role of political committee officers / County officers were passed out. The conclusion of the AG is that the County may amend its code of ethics to prohibit its officers from simultaneously holding executive offices with county political parties or committees, and that such an amendment would apply to the County's election commissioners.

Bea gave a summary of the law and changes.

Floor was opened for questions.

Regarding Section IV, Section C.

Brian Cahill brought up concern that law applies to County, City, Town or Village political committees, and suggested that it also apply to state and federal political committees. Motion was made by Tracey Bartels, 2nd by Brian Shapiro to add state and federal political committees and to clean up language in C1 and C2. Passed unanimously.

Tracey made motion to strike or *any other office* and replace with *or their reasonable equivalent* (two places C and C2), 2nd by Brian Shapiro. Passed unanimously.

Chair asked if there were any other concerns or motions on paragraph prohibiting dual role of office holders. There were no further concerns.

There was extensive discussion of definition of *Appear*. Concern was that it was too restrictive, and could prevent a legislator from performing regular constituent work. There was a suggestion to add *this shall not preclude an elected official advocating for constituents*. Bea will look into this.

Tracey brought up concerns with language in Section III Definitions I). Domestic Partner needs quotes on both ends. The whole domestic partner issue is not clear. Bea recommended that we use the definition as written because it comes from state law.

Tracey - Section IV. Standard of Conduct A) 1. *County officer or employee* should include self. Lanny and Bea pointed out that it does include defacto self.

Don raised concern about Section IV. Standard of Conduct A) 5. Campaign contributors and how we define campaign contributions.

There was extensive discussion of Section IV D) Gifts. Susan Cummings raised concern that the \$50 threshold is too low. Others thought it should be zero. Susan Cummings made a motion to change the threshold to \$99, 2nd by Charlie Busick. Motion failed 3-4. Yes votes - Cummings, Busick and Liepmann.

Page 5, Letter I - Peter raised concern that it would preclude former legislators from serving on volunteer committees. Lanny suggested that words be added after first and second appear add the words *for financial gain*. Peter motioned, Tracey 2nd. Passed unanimously.

Page 4, M) Nepotism. Tracey motioned, 2nd by Peter by that words *or seeking a contractual relationship* be added in 1 then first cousin to any persons *seeking contractual relationship with the county* or seeking employment. Passed unanimously.

Section VI. A. Tracey raised concern that list of titles could be amended by Chief Executive Officer. Add *with the approval of Legislature*. Motion by Tracey, 2nd by Brian Shapiro. Passed 5-1 Liepmann voted no.

Brian Cahill raised question that in Sheriff's Department there are only two officers that need to fill in disclosure forms. Suggestion was made to include other titles. Bea will look into who is in policy-making positions and report back to committee. Bea will also look into possibility of adding RRA Executive Director. Bea will also look into adding other Deans to UCCC.

There was discussion of adding provision of prohibiting unsolicited correspondence as per resolution 393 of 2004. We came to the conclusion that we need another meeting to discuss clarification and definitions.

Tracey brought up concern about appointed officials running for office. There is potential for abuse. Could we prevent the people on the Disclosure Form Requirement sheet from running for office? Again, we decided to discuss this at another meeting.

Lanny suggested that we combine both sections that deal with penalties. Brian Shapiro suggested that Bea and Lanny work on this.

Page 22 K) is duplicate and will be removed.

Tracey raised concern that there should be term limits for members of Board of Ethics. Bea will check into this.

Art Richter discussed possibility of adding public disclosure of property transactions. Could legislators, employees, and department heads be required to disclose property ownership. There was consensus that this was a good idea. Bea will look into adding section requiring disclosure of property transactions to disclosure form.

Meeting adjourned at 8:53 by unanimous consent.

Respectfully submitted,
Gary Bischoff