

51 (2) The county board hereby reaffirms that each county official, ~~and~~ employees, and appointee
52 holds his or her position as a public trust, and any intentional effort to realize personal gain
53 through official conduct is a violation of that trust.

54 (3) The various provisions of this section constitute only the preamble of the Ethics Code,
55 establishing the board's underlying purpose in formulating the provisions that follow but do not,
56 standing alone, constitute the basis for any substantive finding of a violation of the code.

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58 ARTICLE 5. Section 9.11 is amended to read as follows:

59 **9.11 RESPONSIBILITY OF PUBLIC OFFICE.** County officials, ~~and~~ employees, and
60 appointees are agents of public purpose and hold office for the benefit of the public. They are
61 bound to uphold the Constitution of the United States and the Constitution of this State and to
62 carry out impartially the laws of the nation, state and county. They are bound to discharge
63 faithfully the duties of their office regardless of personal considerations, recognizing that the
64 public interest must be their primary concern. County officials, ~~and~~ employees, and appointees
65 shall adhere to the rules of work and performance established as the standard for their positions
66 by the appropriate authority. They shall not exceed their authority or breach the law or ask
67 others to do so, and shall work in full cooperation with others unless prohibited from so doing by
68 law or by officially recognized confidentiality of their work.

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70 ARTICLE 6. Section 9.21 is amended to read as follows:

71 **9.21 CONDUCT REGULATED.**

72 (1) No county official, ~~or~~ employees, or appointee shall engage in any act which is violative of s.
73 19.59, Wis. Stats.

74 (2) The definition of *immediate family* in s. 9.03(1)(m) shall be used to apply s. 19.59, Wis.
75 Stats., to county officials, ~~or~~ employees, or appointees pursuant to this section.

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77 ARTICLE 7. Section 9.26 is amended to read as follows:

78 **9.26 CONDUCT REGULATED; USE OF INFORMATION GAINED IN COURSE OF OFFICIAL**
79 **DUTIES.** No county official, ~~or~~ employees, or appointee may intentionally use or disclose
80 information gained in the course of or by reason of her or his official position or activities in any
81 way that could result in the receipt of anything of value for herself or himself, for a member of
82 her or his immediate family, or for any other person or legal entity if the information has not
83 been previously communicated to the public or is not a public record.

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85 ARTICLE 8. Section 9.27 is amended to read as follows:

86 **9.27 IMPERMISSIBLE USE OF PUBLIC OFFICE.** No county official, ~~or~~ employees, or
87 appointee shall use or attempt to use his or her public office or employment to influence or gain
88 unlawful: benefits, advantages or privileges, personally or for others. The use of county
89 equipment and property including, but not limited to, county owned vehicles, cameras,
90 projectors, audio systems, copy machines, fax machines, telephones and uniforms is prohibited
91 for use for both partisan and non-partisan political activity. Use of county property which is
92 available and accessible to the general public is not considered a violation of this ordinance.

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94 ARTICLE 9. Section 9.28 is amended to read as follows:

95 **9.28 CONDUCT REGULATED; REPRESENTATION BY ELECTED OFFICIAL BEFORE**
96 **COUNTY ENTITIES.** (1) No elected official shall appear on behalf of private interests for
97 compensation, before any county entity nor represent private interests in any action or
98 proceeding against the county.

99 (a) This subsection shall not apply:

100 1. In a contested case which involves a party other than the county with interests adverse to
101 those represented by the public official, ~~or~~ employee, or appointee; or

- 102 2. At an open hearing before a body other than the county board or a committee of the county
103 board, at which a stenographic or tape record is maintained; or
104 3. In a matter that involves only ministerial action by the department; or
105 4. To representation by an elected official acting in his or her official capacity.
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107 ARTICLE 10. Section 9.32 is amended to read as follows:

108 **9.32 CONDUCT REGULATED; RECEIPT OF FEES AND EXPENSES. (1)** County officials,
109 employees, ~~citizen-members~~ appointees and their immediate family members shall not receive
110 and retain anything of value unless the activity or occasion is unrelated to the use of the
111 county's time, information, facilities, equipment, services or supplies not generally available to
112 all residents of the county. He or she shall show by clear and convincing evidence that the
113 receipt of the thing of value did not arise from the recipient's holding or having held her or his
114 position and was given or paid for a purpose unrelated to legislation, policies or issues being
115 considered by or affecting the county.

116 (2) Such persons may accept and retain from persons or entities other than the county the
117 cost of reimbursement of actual and reasonable expenses related to speaking engagements
118 whether or not the same arise from their county roles or positions.

119 (3) County officials, employees and ~~citizen-members~~ appointees may accept and retain
120 anything of value which consists of transportation, lodging, meals, food or beverage, registration
121 fees, honoraria, or reimbursement therefor, if the official, employee or ~~citizen-member~~ appointee
122 can show by clear and convincing evidence that the same was incurred or received primarily for
123 the benefit of the county and not primarily for his or her private benefit or that of any other
124 person. It is *prima facie* evidence that the acceptance of anything of value consisting of the
125 enumerated items or services is primarily for the benefit of the county (a) when received by an
126 official, employee or ~~citizen-member~~ appointee in connection with a speech or other
127 presentation being given by the county official, employee or ~~citizen-member~~ appointee; (b) when
128 received by an official, employee or citizen member attending a government-related function
129 where the same or similar items or services are provided free of direct charge to all attendees;
130 or (c) when received by an official, employee or citizen member in a situation where the county
131 would have to assume the costs of the item or service if not otherwise provided. This section
132 does not prohibit a person from taking any action concerning the lawful payment of salaries or
133 employee benefits or reimbursement of actual and necessary allowable expenses.
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135 ARTICLE 11. Section 9.60 is amended to read as follows:

136 **9.60 STATEMENTS OF ECONOMIC INTEREST.**

137 ~~(1) All The following county officials, and county employees, and appointees shall file a~~
138 ~~disclosure statement; except that county employees outside of the ten highest salary ranges in~~
139 ~~the managerial and professional salary schedule need not do so.~~

140 (a) Elected officials.

141 (b) Candidates for county elected office.

142 (c) Department Heads.

143 (d) Employees hired under an employment contract.

144 (e) Appointees to an administrative agency or any position by the county executive, county
145 board, or county board chairperson, or other person delegated by the county executive, county
146 board, or county board chairperson.

147 ~~(2) Notwithstanding sub. (1), an employee hired under an employment contract shall file a~~
148 ~~disclosure statement.~~

153 ARTICLE 12. Section 9.62 is amended to read as follows:

154 **9.62 FILING DATES FOR STATEMENT. (1)** Candidates for elected office shall file a disclosure
155 statement not more than 14 days after the deadline for filing their respective nomination papers.

156 **(2)** All other Ppersons affected by this ordinance shall file a disclosure statement within 60
157 days of the date of assuming office or beginning employment.

158 ~~**(3)** County officials appointed to administrative agencies shall file a disclosure statement no
159 later than the first meeting of the administrative agency or within 30 days of confirmation by the
160 county board, whichever comes first. Such statements shall expire as of April 30 of even
161 numbered years unless the statement was filed within the 60 day period prior to the scheduled
162 expiration date.~~

163 **(43)** In March of even numbered years the county clerk shall cause a notice to be sent to all
164 officials and employees having a disclosure statement on file notifying them that updated
165 statements are to be filed.

166 **(54)** The county clerk shall notify candidates for elected office of the provisions of this chapter at
167 the time that nomination papers are filed.

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169
170 *[EXPLANATION: This amendment revises who is required to file a Statement of Economic
171 Interest and expands ethics ordinance requirements to appointees to administrative
172 agencies and other positions.]*
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