

BEFORE THE STATE OF WISCONSIN ETHICS COMMISSION

In re: ALAN BLAIR

**FINDING OF PROBABLE CAUSE
AND REFERRAL TO DISTRICT
ATTORNEY PURSUANT TO WIS.
STAT. § 19.49(2)(b)9.**

**Case Nos. 2022-ETH-79.
2023-ETH-42**

The Wisconsin Ethics Commission reviewed the complaints, response, and Investigative Report in the above-identified cases in Closed Session at its meeting on February 20, 2024. Having duly considered this matter, the Commission finds probable cause and refers this matter to the District Attorney based upon the following:

FACTS

1. The Wisconsin Ethics Commission received the first complaint on December 2, 2022.
2. Speaker Robin Vos serves as the Representative to the Assembly from the 63rd District. During 2022, some republicans across the state disagreed with Speaker Vos' handling of certain political matters. As a result, there were several county parties and others that opposed Speaker Vos' reelection. In February 2022, Mr. Adam Steen registered his candidate committee, Friends of Adam Steen, with the Wisconsin Ethics Commission. This step occurred in the early days of Mr. Adam Steen's campaign to replace Speaker Vos. Defeating an incumbent legislator, especially the leader of a chamber, requires significant financial resources.
3. It is against this backdrop that the events leading up to this complaint occurred. The Complainant alleged that there was collusion between Friends of Adam Steen, the Respondent, three county parties, and others to funnel money and services to Friends of

Adam Steen to avoid contribution limits. The complaint identified multiple transactions as suspicious.

4. As required by WIS. STAT. § 19.49(2)(b)1., the Commission provided notice of the complaint to those Respondents. Additionally, the Commission provided the Respondents at least 15 days to file a response.
5. The Commission considered the complaint and responses at its meeting on February 22, 2023. At that meeting, the Commission found that a reasonable suspicion that a violation had occurred existed and ordered an investigation. The Commission further chose to hire an independent investigator. At a subsequent meeting, the Commission selected the investigation firm and directed staff to retain the firm.
6. A substantially identical complaint was filed on or about May 3, 2023. It was assigned Case Number 2023-ETH-42. Friends of Adam Steen filed a response on May 15, 2023. The Commission found a reasonable suspicion in this complaint on October 26, 2023. At that meeting, the Commission authorized an investigation and consolidated complaint 2023-ETH-42 with the first complaint.
7. On February 13, 2024, the Commission received the report of the investigation firm.
8. Pursuant to WIS. STAT. § 11.1101, individuals, candidate committees, political action committees, and “Other Persons” are prohibited from giving more than \$1,000 to the candidate committees of candidates for Representative to the Assembly.
9. During the investigation, the investigators confirmed that Friends of Adam Steen had received contributions from individuals that exceeded \$1,000. The investigators also confirmed that Friends of Adam Steen properly returned the excess amounts. However, that was not the end of the story.

10. While the beginning of the plan is not currently known, the investigators were able to confirm that there was an arrangement between Mr. Adam Steen, his candidate committee, the Respondent, and three county parties. Friends of Adam Steen advised people that wanted to give more than allowed under Wisconsin's contribution limits to send it to the Langlade County Republican Party with "63" in the memo line of the check or through some other way of indicating it was to go to Friends of Adam Steen.
11. Pursuant to WIS. STAT. § 11.1104(5), county parties can give to candidates in an unlimited amount. The plan sought to take advantage of this fact.
12. During the course of the investigation into complaints 2022-ETH-74-79 and 2023-ETH-42, the investigators learned that Alan Blair contributed \$2,100 to Friends of Adam Steen in 2022. Friends of Adam Steen returned the excess to Mr. Blair.
13. During the course of the investigation, the investigators further learned that Mr. Blair donated a total of \$8,000 to the Republican Party of Langlade County.
14. There is probable cause to believe that Mr. Blair intended to give more than the \$1,000 allowed by law, subsequently learned of the agreement between Friends of Adam Steen and the Republican Party of Langlade County, and gave additional money to the Republican Party of Langlade County for the purpose of benefitting Friends of Adam Steen.

CONCLUSIONS OF LAW

15. The Wisconsin Ethics Commission has jurisdiction of this matter pursuant to WIS. STAT. § 19.49(2)(a).
16. Alan Blair was prohibited from giving more than \$1,000 to a candidate committee of a candidate for representative to the Assembly pursuant to WIS. STAT. § 11.1101(1).

However, as noted above, there are no contribution limits for contributions from an “Other Person” to a political party. Likewise, there is also no contribution limit for contributions from a political party to a candidate. WIS. STAT. § 11.1104(5).

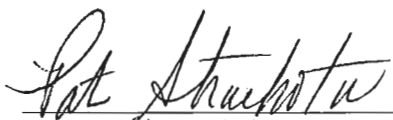
17. WIS. STAT. § 11.1202(2) provides that when a contribution is made to a committee other than a candidate committee, the contributor may not direct the committee to make a disbursement to a committee to support or oppose another candidate.
18. WIS. STAT. § 11.1204(1) contains two prohibitions. First, no person may, directly or indirectly, make any contribution other than from funds or property belonging to the person. Second, no person may, directly or indirectly give funds or property to another person for the purpose of making a contribution in other than the first person’s name.
19. There is probable cause to believe that Alan Blair knew of the plan to send money in excess of the contribution limits to the Republican Party of Langlade County. This is confirmed by the fact that he did, in fact, give to both Friends of Adam Steen and the Republican Party of Langlade County. Therefore, it appears that the Alan Blair directed the Republican Party of Langlade County to use the money, directly or indirectly, for the benefit of Friends of Adam Steen. The Republican Party of Langlade County did so either through direct contributions to Friends of Adam Steen or through disbursements to vendors. This is a violation of WIS. STAT. § 11.1202(2).
20. Alan Blair acted “intentionally” as that term is defined in WIS. STAT. § 939.23(4). Therefore, the activities engaged in by Alan Blair are criminal violations. WIS. STAT. § 11.1401(1)(b) and (c).

21. Further, Alan Blair could also be considered a party to the crimes by the Republican Party of Langlade County and/or Friends of Adam Steen under WIS. STAT. § 939.05 or engaged in a conspiracy under WIS. STAT. § 939.31.
22. Having duly considered this matter, the Commission finds there is probable cause to believe Alan Blair violated the campaign finance laws as described herein.
23. Further, the Commission hereby orders that this matter be referred to the Langlade County District Attorney for investigation and prosecution of Alan Blair and any other person the District Attorney deems appropriate for the contributions to the Republican Party of Langlade County.

ORDER

24. Pursuant to WIS. STAT. § 19.49(2)(b)9. and 13., this matter is referred to the District Attorney of Langlade County as described above. The District Attorney is required to report to the Commission concerning any action taken regarding this matter no later than 40 days after the date of the referral. If the matter is not resolved during that time, subsequent reports to the Commission are required at the end of each 30-day period thereafter until final disposition. WIS. STAT. § 19.49(2)(b)16.
25. In the event that a prosecution is not initiated within 60 days, the Commission reserves the right to refer the matter to another district attorney or the Wisconsin Department of Justice as provided in WIS. STAT. § 19.49(2)(b)13. and 14.

ENTERED by the Wisconsin Ethics Commission at its meeting in Madison, Wisconsin on
Tuesday, February 20, 2024.


Pat Strachota, Chair


Maryann Sumi, Vice Chair