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The State of Wisconsin
Department of Justice



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November 6, 1986

Mr. William M. DuVall
DuVall Associates
Suite 409
525 South Dearborn
Chicago, Illinois 60605

Dear Mr. DuVall:

Your September 2, 1986, letter to Attorney General Bronson C. La Follette has been referred to me for review and reply.

You have asked questions concerning the responsibilities of an advisory committee of a Lake Conservancy District. In answering these questions, I am assuming that the district is a public inland lake protection and rehabilitation district formed under sections 33.21 to 33.27, Stats. If I am mistaken in that assumption, please advise me because the answers to your questions might be affected.

It appears that a public inland lake protection and rehabilitation district, being established by a municipality or county, is a governmental or quasi-governmental corporation and therefore a governmental body subject to the Wisconsin open meetings law. See sec. 19.82(1), Stats. An advisory committee to the district is also subject to the open meetings law. As a result, the advisory committee must give notice of its meetings as required by section 19.84. The advisory committee may meet in private homes; but the meeting must be open to the public, unless it qualifies for a closed meeting under section 19.85(1).

For your use I have enclosed a copy of the open meetings statutes and a copy of a 1978 attorney general's opinion discussing the requirements for meetings held in private homes.

You have asked whether volunteers on the committee open themselves to any question of liability in connection with their efforts. As members of the committee, the volunteers can be liable for payment of forfeitures from \$25 to \$300 if they violate the open meetings law. See sec. 19.96, Stats. If you are asking about liability that members may face other than

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for violation of the open meetings or public records laws, your inquiry does not fall within an area concerning which the attorney general has a duty to advise private citizens. Except in areas of open meetings, public records and consumer fraud, the attorney general is limited to furnishing legal advice to the Legislature, state officers and department heads and district attorneys or corporation counsel. If you are seeking more advice on the possible liability of volunteer members of the committee, I would suggest that you consult with the district's attorney or private counsel of your choice.

I hope this letter will be useful to you; but please be advised that it does not constitute an opinion of the attorney general.

Sincerely yours,

Stephen W. Kleinmaier

Stephen W. Kleinmaier
Assistant Attorney General

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Enclosure