

2013 Seminar for New Legislators

Ethics Code and Lobbying Law: Requirements and tips

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POLITICAL MARKET

Conscientious Railroad President to

Dealer: "Ah! Let me see. I think I'll take this bunch of Legislators at \$5000 a head. The Senators, at what price did you say?"

Dealer: "Can't afford 'em less than \$10,000 each."

R.R.P.: "Well, hand them over. I suppose I'll have to take the lot."

Dealer: "Anything else to-day? I have a lot of Editors, at various prices, from a Thousand down to Fifty Cents."

R.R.P.: "No, nothing in that way, to-day. But I want a Governor very much indeed, and will stand \$50,000 for him. Get me a Wisconsin one, if possible!"

Cartoon published in *Harper's Weekly* of June 12, 1858, at the time of the Land Grant Investigation

Government Accountability Board

- Created by 2007 Wisconsin Act 1
- Six members – all former judges
- Non-partisan
- 6-year term of office
- Actions require 4 votes
- Headed by Director and General Counsel
- Two divisions – Elections and Ethics & Accountability
- Confidentiality – Advice and investigations

Accepting gifts, tickets, and the like

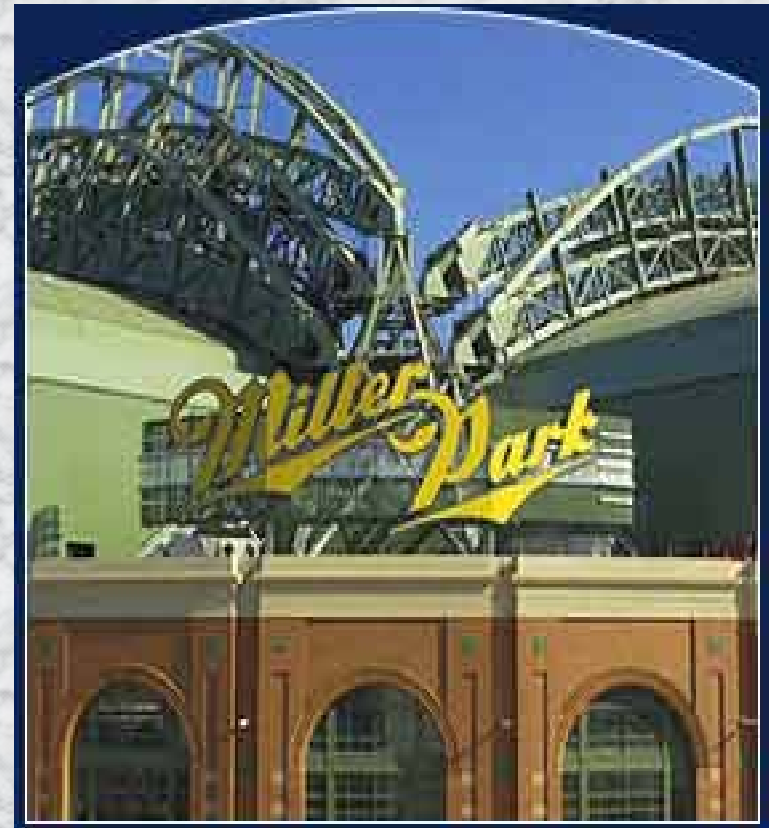
Do not accept food, drink, or anything of pecuniary value from a lobbyist (even if you pay or reimburse the lobbyist).

Do not accept anything of pecuniary value from a business or organization that employs a lobbyist unless the organization makes the same offer, in the same manner, to the general public.

Don't accept items or services of more than trivial value that are offered to you because of your official position.

Ticket for the ball game

- Next door neighbor
- Neighbor is a lobbyist
- Friend received ticket from employer



Food, Drink, Transportation, and Lodging

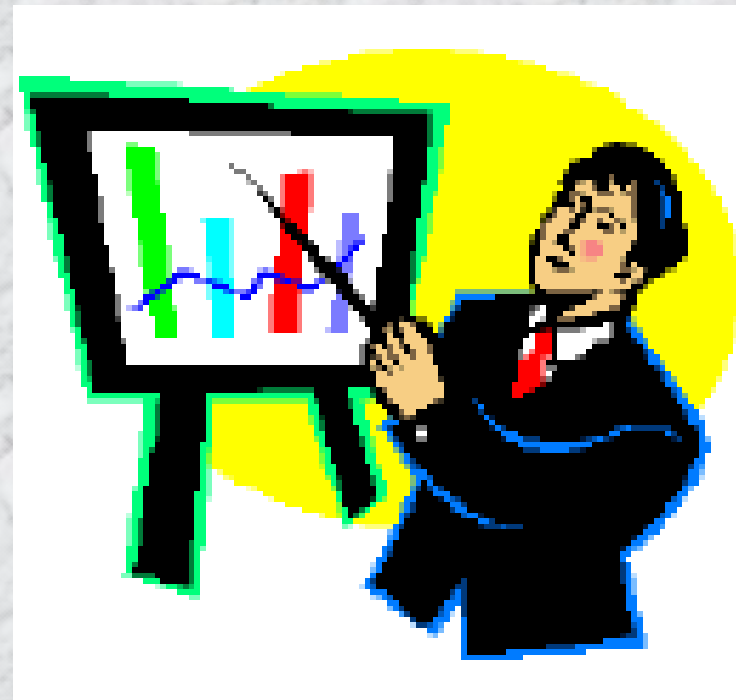
You may accept transportation, lodging, meals, food and beverage if:

1. In connection with presenting a talk, or
2. If your attendance at an event is approved and the state would otherwise reimburse the expense, or
3. Invitation is unrelated to public position and not from a lobbyist or an organization that employs a lobbyist

ELECTED official may retain reasonable compensation for a talk. **REPORT** if > \$50.

Constituent breakfast

- Breakfast meeting to meet and greet
- Legislator to present program
- Meal?
Expenses?
Honorarium
- Organization employs lobbyist



Soliciting items

Don't solicit items from a lobbyist or an organization that employs a lobbyist.

Don't solicit if it could reasonably be expected to influence judgment.

Don't use your position to solicit items for yourself, your immediate family, or for an organization with which you are associated.

Solicitation for YMCA

- Board of Directors
- \$5 million project
- Call for pledges
- Committee on Financial Institutions



Acting on matters in which financially interested

May act in most matters ---

Except when action affects the financial interest of:

- the official,
- a member of the official's immediate family, or
- an organization of which the official or official's spouse is an officer, director, owner, or agent

that differs from the interests of a large group of affected interests.

Legislation on property tax assessment

- Affecting charitable organizations providing recreational opportunities for children
- Affecting all charitable organizations
- Proposal is part of budget



Campaigning

- Don't use state resources for campaigning.
- Don't ask staff to engage in campaign activity on state time.

“Campaign activity”

JCLO Rule

Activity that does not reasonably and primarily fulfill and arise from official duties and that contributes to, enhances, or furthers a person’s ability to run for, or chance of election or re-election to, public office.

Lobbyist's campaign contributions

Lobbyists and their employers not to contribute to personal campaign committees except: **after June 1 and before election** in the year of your re-election.

You may not solicit a lobbyist for a contribution except: **after June 1 and before election** in the year of your re-election.

Campaign finance

Chapter 11

No elected official who becomes a candidate for national, state or local office may use public funds for the cost of materials or distribution for 50 or more pieces of substantially identical material distributed after the first day authorized for circulating nomination papers. Section 11.33

Campaign finance

Chapter 11

No person may, directly or indirectly, make any contribution other than from funds or property belonging to the contributor. Section 11.24

No person may enter or remain in a state office or building for the purpose of requesting or collecting a campaign contribution. Section 11.36

Newsletters and maps



Newsletter after May
15, 2014?

Request from
constituent groups for
maps?

E-mail?