

# Wisconsin Ethics Commission

## Standards of Conduct For State Public Officials, Lobbyists, And Lobbyists' Employers

### A STATE PUBLIC OFFICIAL SHOULD NOT:

#### ***ACT OFFICIALLY IN A MATTER IN WHICH PRIVATELY INTERESTED.***

Take any official action in a matter in which (a) the official's action could reasonably be expected to produce a substantial benefit for the official, a member of his or her immediate family, or an organization with which the official is associated or (b) the official or a member of his or her immediate family, or an organization with which the official is associated has a substantial interest. [§19.46, *Wisconsin Statutes*]

#### ***USE PUBLIC POSITION FOR PRIVATE BENEFIT.***

Use his or her public position to obtain financial gain or anything of substantial value for the public official, a member of his or her immediate family, or an organization with which he or she is associated. [§19.45(2)]

#### ***ACCEPT TRANSPORTATION, LODGING, FOOD, OR BEVERAGE EXCEPT AS SPECIFICALLY AUTHORIZED.***

Accept or retain transportation, lodging, meals, food or beverage except (a) payment of expenses for talks and meetings about state government, (b) items and services offered for reasons unrelated to public office, as long as not furnished by a lobbyist or by a lobbyist's employer, (c) items provided by or to the state and primarily for the state's benefit, or (d) items from a campaign committee under chapter 11. [§19.45(3m)]

#### ***SOLICIT OR ACCEPT REWARDS OR ITEMS OR SERVICES LIKELY TO INFLUENCE.***

Solicit or accept, directly or indirectly, anything of value if it could reasonably be expected to influence an official's action or inaction or could reasonably be considered as a reward for any action or inaction. [§19.45(3)]

#### ***USE CONFIDENTIAL INFORMATION.***

Intentionally use or disclose confidential information which could result in the receipt of anything of value. [§19.45(4)]

#### ***USE PUBLIC POSITION TO OBTAIN UNLAWFUL BENEFITS. .***

Use or attempt to use his or her public position to influence or gain, for anyone, unlawful benefits, advantages, or privileges. . [§19.45(5)]

#### ***ENTER INTO PUBLIC CONTRACTS WITHOUT NOTICE.***

Enter into a contract or lease involving the payment of more than \$3,000 in a 12-month period, in whole or in part derived from state funds, unless written disclosure is made to the Wisconsin Ethics Commission and applicable state agency. This prohibition extends also to any organization in which the official has a 10% or greater interest. [§19.45(6)]

#### ***CHARGE A FEE TO REPRESENT A PERSON BEFORE A STATE AGENCY.***

Generally, a state public official should not represent a person or organization for pay before a state agency. There are exceptions for nondiscretionary matters, for open hearings at which stenographic

---

*This is a guide. For authoritative information consult Wisconsin Statutes.*

Prepared by the Wisconsin Ethics Commission. 212 E. Washington Ave., 3<sup>rd</sup> Madison, WI 53703 (608) 266-8123

Website: <http://ethics.wi.gov> Visit the Commission's website to ensure you have the most current version of this Guideline.

ETH1201

records are kept, for contested cases which involve parties other than the state with interests adverse to those represented by the state public official, and for matters before the Department of Revenue or the Tax Appeals Commission in connection with a client's tax matter. This restraint does not apply to unsalaried public officials. [§19.45(7)]

***OFFER OR PROVIDE INFLUENCE IN EXCHANGE FOR CAMPAIGN CONTRIBUTIONS.***

Give or offer or promise to give or withhold his or her vote or influence in consideration of, or upon condition that, any other person make or refrain from making a political contribution or service to or for the benefit of a candidate, political party, or any person making a communication that contains a reference to a clearly identified state elected official or candidate for state public office. [§19.45(13)]

**AN ELECTIVE STATE OFFICIAL, AN AGENCY OFFICIAL, A LEGISLATIVE EMPLOYEE, OR CANDIDATE FOR ELECTIVE STATE OFFICE SHOULD NOT:**

***ACCEPT ANYTHING OF PECUNIARY VALUE FROM A LOBBYIST OR FROM A LOBBYING PRINCIPAL.***

Normally solicit or accept anything of pecuniary value from a lobbyist or from an organization that employs a lobbyist. [§13.625(3)]

**A LOBBYIST SHOULD NOT:**

***FURNISH ANYTHING OF PECUNIARY VALUE TO A STATE OFFICIAL.***

Provide anything of pecuniary value to an elective state official, agency official, legislative employee, or candidate for elective office. [§13.625(1)(b)]

***INSTIGATE LEGISLATION.***

Instigate legislative or administrative action for the purpose of obtaining employment in support or opposition thereto. [§13.625(1)(a)]

***MAKE COMPENSATION CONTINGENT ON LEGISLATIVE ACTION.***

Contract to receive compensation dependent in any manner upon the success or failure of any legislative or administrative action. [§13.625(1)(d)]

***MAKE CERTAIN CAMPAIGN CONTRIBUTIONS EXCEPT DURING PRESCRIBED PERIOD.***

Contribute a personal contribution to the campaign of a partisan elected state official or candidate for partisan elective state office, except between the first day for circulating nomination papers and the day of the election in the year of a candidate's election. Even then, a contribution may be made to a legislator or a candidate for the legislature only if the legislature is not in session. [§13.625(1m)]

**A LOBBYING PRINCIPAL SHOULD NOT:**

***FURNISH ANYTHING OF PECUNIARY VALUE TO A STATE OFFICIAL.***

Provide anything of pecuniary value to an elective state official, agency official, legislative employee, or candidate for elective office unless it is also made available to the general public. [§13.625(1)(b) and (2)]

**A FORMER STATE PUBLIC OFFICIAL (OTHER THAN A LEGISLATOR OR LEGISLATIVE EMPLOYEE) SHOULD NOT:**

***COMMUNICATE WITH FORMER AGENCY FOR 12 MONTHS AS PAID REPRESENTATIVE.***

Represent, for compensation, any person other than a governmental entity before his or her former agency within 12 months after leaving the agency.

***COMMUNICATE WITH ANY AGENCY FOR 12 MONTHS ON MATTERS RESPONSIBLE FOR.***

Represent, for compensation, any person other than a governmental entity before any agency within 12 months after leaving public office on a matter under the former official's responsibility.

***ACT ON BEHALF OF ANY PARTY OTHER THAN THE STATE.***

Represent any person other than the state in connection with any proceeding, application, contract, claim, or charge in which the individual was personally and substantially involved as a state public official. [§19.45(8)]