
1997 Wis Eth Bd 21
LOBBYING AND LOBBYISTS

The Ethics Board advises that Wisconsin's lobbying law does not prohibit the appearance of a lobbyist's name as the treasurer of a political action committee on letterhead transmitting a campaign contribution to a member of the legislature.

Facts

- ¶ 1 This opinion is based upon these understandings:
- a. You write on behalf of a lobbying principal.
 - b. The lobbying principal has a political action committee whose treasurer is a lobbyist.

Question

- ¶ 2 The Ethics Board understands your question to be:

Consistent with Wisconsin's lobbying law, may the treasurer's name appear on the letterhead of a communication that transmits campaign contributions to members of the Legislature?

Discussion

¶ 3 The section of the lobbying law pertinent to your question is §13.625(1), *Wisconsin Statutes*. That section, reduced to its elements, provides:

- No lobbyist
- May furnish
- To an agency official, legislative employee, elective state official, or candidate for elective state office
- Anything of pecuniary value
- Except a campaign contribution
- But a lobbyist may make a campaign contribution
- To a partisan elective state official or candidate for a partisan elective state office
- Only between June 1 and the date of the general election in the year of the candidate's election

And to a legislative candidate during that period only if the legislature has concluded its final floorperiod and is not in special or extraordinary session.¹

¶ 4 Having one's name appear on the letterhead of a communication is not a furnishing by that individual. It is generally understood that a communication comes either from the signer or from the organization whose letterhead is being used, and not from individuals associated with the organization whose positions with the organization may be identified in the letterhead.

Advice

¶ 5 The Ethics Board advises that Wisconsin's lobbying law does not prohibit the appearance of a lobbyist's name as the treasurer of a political action committee on letterhead transmitting a campaign contribution to a member of the legislature.

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¹ Section 13.625(1)(b) and (c), *Wisconsin Statutes*, provides:

13.625 Prohibited practices. (1) No lobbyist may:

(b) Furnish to any agency official or legislative employe of the state or to any elective state official or candidate for an elective state office, or to the official's, employe's or candidate's personal campaign committee:

1. Lodging.
2. Transportation.

3. Food, meals, beverages, money or any other thing of pecuniary value, except that a lobbyist may make a campaign contribution to a partisan elective state official or candidate for national, state or local office or to the official's or candidate's personal campaign committee; but a lobbyist may make a contribution to which par. (c) applies only as authorized in par. (c).

(c) Except as permitted in this subsection, make a campaign contribution, as defined in s. 11.01(6), to a partisan elective state official for the purpose of promoting the official's election to any national, state or local office, or to a candidate for a partisan elective state office to be filled at the general election or a special election, or the official's or candidate's personal campaign committee. A campaign contribution to a partisan elective state official or candidate for partisan elective state office or his or her personal campaign committee may be made in the year of a candidate's election between June 1 and the day of the general election, except that:

1. A campaign contribution to a candidate for legislative office may be made during that period only if the legislature concluded its final floorperiod, and is not in special or extraordinary session.

2. A campaign contribution by a lobbyist to the lobbyist's campaign for partisan elective state office may be made at any time.