



State of Wisconsin  
Ethics Commission

# WISCONSIN LOBBYING LAWS: OVERVIEW AND BEST PRACTICES

SPRING 2019

# ETHICS COMMISSIONERS

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David Halbrooks	Commissioner	Assembly Minority Leader	5/1/2021
Katie McCallum	Chair	Senate Majority Leader	5/1/2019
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## LAY OF THE LAND

- WHAT DOES WISCONSIN LOBBYING LAW COVER?
- LOBBYING DEFINITIONS
- THE THREE R'S OF LOBBYING
  - REGISTRATION
  - REPORTING
  - RESTRICTIONS
- NOTEWORTHY CHANGES SUMMARY



## POLITICAL MARKET

**Conscientious Rail-road 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 today? I have a lot of Editors, at various prices, from a Thousand down to Fifty Cents."

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

# THE LOBBYING LAW:

“The legislature declares that the operation of an open and responsible government requires that:

- the fullest opportunity be afforded to **the people to petition their government** for the redress of grievances and to express freely to any officials of the executive or legislative branch their opinions on legislation, on pending administrative rules and other policy decisions by administrative agencies, and on current issues.
- Essential to the continued functioning of an open government is the **preservation of the integrity of the governmental decision-making process.**
- In order to preserve and maintain the integrity of the process, the legislature determines that it is necessary to **regulate and publicly disclose the identity, expenditures and activities of persons who hire others or are hired to engage in efforts to influence actions of the legislative and executive branches.”**

[WIS. STAT. § 13.61](#)



# LOBBYING IS...

Attempting to influence legislative or administrative action;

- by oral or written communication;
- with any elective state official, agency official or legislative employee; and
- includes time spent in preparation for such communications and appearances at public hearings or meetings or service on a committee in which such preparation or communication occurs.

Does not include seeking a contract or grant, or quasi-judicial decisions.

[Wis. STAT. § 13.62\(10\)](#)



# WHO IS A LOBBYIST?

An individual who:

- is employed by and/or receives compensation from a principal;
- for the purpose of lobbying (attempting to influence legislative or administrative action by oral or written communication) on behalf of that principal and;

makes **any** lobbying communications if their duties **are limited** exclusively to the statutory definition of lobbying

OR

makes lobbying communications on each of **at least 5 days** within a reporting period if their duties **are not limited** exclusively to the statutory definition of lobbying

Cannot be delinquent on taxes, child support, or unemployment insurance contributions. Excludes unpaid volunteers, or individuals that only receive expense reimbursement.

Note: Individuals representing limited lobbying principals are lobbyists, and therefore are subject to the same prohibitions.



# LOBBYING COMMUNICATION

- “an oral or written communication with any agency official, elective state official, or legislative employee that attempts to influence legislative or administrative action.”

## Excludes:

- communicating with legislators in a personal capacity;
- mass communications through the media;
- requests for information from the legislature, legislative employee, or an agency official;
- participation as a member in the deliberations of a committee of the legislature;
- lobbying of an agency official by another agency official a different agency or the same agency; and
- an elective state official or legislative employee acting in an official capacity.

[Wis. STATS. §§ 13.62\(10G\), 13.621](#)



# LOBBYING COMMUNICATION

## 5 DAY THRESHOLD VS. TIME REPORTING

### **5 Day Threshold for Lobbyist License**

(Anyone whose duties are not limited exclusively to lobbying)

- Any oral or written communication with the purpose of lobbying on behalf of a principal.
  - In-person meetings
  - Phone calls
  - Sending emails or letters
  - One-way or two-way communication

### **Lobbyist Time Reporting**

- Good faith effort of approximate time
- Requires some conversation or back and forth dialogue.
  - In-person meetings
  - Phone calls
  - Conversational exchange of electronic messaging
  - Excludes de minimis amounts of time



# WHAT IS A LOBBYING PRINCIPAL?

“Principal means any person who employs a lobbyist...”

- **Full lobbying principal** - anticipates spending more than \$500 in a calendar year.
- **Limited lobbying principal** - does not anticipate spending more than \$500 on all lobbying related expenses in a calendar year, including any payments to lobbyists. This status must be amended within 10 days of the principal exceeding \$500, and the appropriate registration fee must be paid.

Note: Individuals representing limited lobbying principals are lobbyists and are, therefore, subject to the same prohibitions.





**QUESTIONS?**



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# THE THREE R'S OF LOBBYING

**R**EGISTRATION

**R**EPORTING

**R**ESTRICTIONS

# WHO NEEDS TO REGISTER/LICENSE?

## Part-Time & Full-Time Lobbyist

- An individual who, for compensation, communicates with state officials for the purpose of lobbying on 5 or more days in a six-month reporting period and whose duties **are not limited** exclusively to the statutory definition of lobbying

OR

- An individual who, for compensation, communicates with state officials for the purpose of lobbying once or more and their duties **are limited** exclusively to the statutory definition of lobbying.

## Principal (Lobbying Organizations)

- Any person who employs a lobbyist.

WIS. STATS. §§ [13.62 \(10\)](#), [\(12\)](#)



# REGISTRATION REQUIREMENT

If your duties **are not limited** exclusively to the statutory definition of lobbying:

- On the **5<sup>th</sup> day** of a lobbying communication within a 6-month reporting period is the absolute latest that you must be licensed and authorized, and your principal must be registered.
  - If you realize that you have registered *after* you've had a 5<sup>th</sup> communication, contact Ethics Commission staff immediately

If your duties **are limited** exclusively to the statutory definition of lobbying:

- Must be registered before you have **any** lobbying communications
  - If you realize that you have registered *after* you've had a communication, contact Ethics Commission staff immediately

You can avoid this headache by **registering early!**

*Registration opens December 1<sup>st</sup> before the beginning of a new legislative session.*



# POLLING QUESTION 1

When does a paid lobbyist with “exclusively limited” duties have to obtain a license and authorization?

**A. By the fifth day of communication on behalf of the principal**

**B. Before any communication on behalf of the principal occurs**

**C. After the lobbyist has three communications**

Wis. STATS. § [13.62 \(10\)](#)



# STEP 1:

## APPLY FOR A LOBBYIST LICENSE

### Necessary Information:

Lobbyist Name

Title/Division (optional)

Employer

Mailing Address

Location Address (if different than mailing)

Phone number(s)

Email address

Single/Multiple Principal license

Username(s) of those you wish to have access to your lobbyist account

Social Security Number – §13.63(1)(b) *used for checking delinquency regarding taxes, unemployment contribution payments, and court ordered childcare payments.*

\* This information can be updated at any time by choosing *Amend a Lobbyist License* from the *Registration and Licensing* tab.

[Wis. STAT. § 13.63](#)



# STEP 2: REGISTER YOUR PRINCIPAL

## Necessary Information:

Principal name

Contact person

Principal mailing address

Location address (if different than mailing)

Correspondence contact person (optional)

Principal nature/interest

Agencies to be lobbied

“Full” or “limited lobbying” status

Lobbyists to authorize

Usernames of those you wish to have access to principal account

\* This information can be updated at any time by choosing *Amend a Principal Registration* from the *Registration and Licensing* tab.

[WIS. STAT. § 13.64](#)



# STEP 3: AUTHORIZE YOUR LOBBYIST(S)

**Authorized Lobbyists**

Lobbyist Name	Authorized	Withdrawn	Status	Commands	
[Redacted]	10/31/2018		Licensed	<input type="button" value="Edit"/>	<input type="button" value="Withdraw"/>
	10/31/2018		Licensed	<input type="button" value="Edit"/>	<input type="button" value="Withdraw"/>
	10/31/2018		Licensed	<input type="button" value="Edit"/>	<input type="button" value="Withdraw"/>

Lobbyists must have completed their lobbyist license application before they can be chosen for authorization by the principal. “Authorized” field will remain blank until the authorization fee has been paid. Licensing and authorization are not complete until fees have been paid.

Note: Lobbyist type (in-house or contract) will no longer be collected; therefore the type will not show on the summary of authorized lobbyists.



# STEP 3A: EDIT AUTHORIZED LOBBYIST(S)

## Lobbyist Information

Lobbyist Name:

Employer Name:

Address:

City, State, Zip:

Phone:

E-mail:

License Issue Date: 04/06/2017

Please select one of the following statements to describe the duties agreed upon by the principal and lobbyist: \*

- Lobbyist's duties on behalf of the principal are exclusively limited to attempting to influence legislative or administrative action
- Lobbyist's duties on behalf of the principal are not exclusively limited to attempting to influence legislative or administrative action

Cancel

Save

- “In-house” and “contract” designations will no longer be collected.
- Lobbyist authorization will require the principal to choose if the lobbyist’s duties:
  - are exclusively limited to the statutory definition of lobbying or
  - are not exclusively limited to the statutory definition of lobbying.



# STEP 3A: EDIT AUTHORIZED LOBBYIST(S)

## Lobbyist Information:

Please choose the choice that best represents the relationship between principal and lobbyist. For your information and consideration, please take these definitions into account:

- "Lobbyist" means an individual who is employed by a principal, or contracts for or receives economic consideration, other than reimbursement for actual expenses, from a principal and who duties include lobbying on behalf of the principal. If an individual's duties on behalf of an individual are not limited exclusively to lobbying, the individual is a lobbyist only if he or she makes lobbying communications on each of at least 5 days within a reporting period." [Wis. Stat. § 13.62 \(11\)](#).
- "Lobbying" means the practice of attempting to influence legislative or administrative action by oral or written communication with any elective state official, agency official or legislative employee, and includes time spent in preparation for such communication and appearances at public hearings or meetings or service on a committee in which such preparation or communication occurs. [Wis. Stat. § 13.62 \(10\)](#).

This information will be displayed on pages related to the new “exclusive to lobbying” designation question to help you in making the selection.



# POLLING QUESTION 2

Lobbyists with unpaid authorization fees will have an authorized date next to their name on the principal's profile page

- **True**
- **False**



# STEP 4: PAY FEES (PER LEGISLATIVE SESSION)

Single Lobbyist License	\$250
Multiple Lobbyist License	\$400
Authorization to Lobby	\$125
Principal Registration	\$375
Limited Principal Registration	\$20
FOCUS Subscription	\$100

*On February 27, 2018, the Commission adopted a standard settlement schedule for the late payment of lobbying related fees. Fees received more than 15 days after the time of application are considered by the Commission to be a violation of statutes for failure to pay relevant fees.*



# FEES SCENARIO

- A lobbying firm employs three lobbyists.
- The lobbying firm represents four lobbying principals.
- Each lobbyist is authorized to lobby on behalf of two principals.

Single Lobbyist License	\$250
Multiple Lobbyist License	\$400
Authorization to Lobby	\$125
Principal Registration	\$375
Limited Principal Registration	\$20
FOCUS Subscription	\$100

Multiple Lobby License (\$400) x3	\$1,200
Principal Registration (\$375) x4	\$1,500
Lobbyist Authorization (\$125) x6	\$750
<b>TOTAL</b>	<b>\$3,450</b>





**QUESTIONS?**

# REPORTING REQUIREMENTS

- 1. Submitting 15-day reports** due continuously  
(responsibility of the principal)
- 2. Tracking lobbying time: communicating vs. other** due at the end of reporting period, January 31, July 31  
(responsibility of the lobbyist)
- 3. Statement of Lobbying Activity and Expenditures (SLAE)** due at the end of reporting period, January 31, July 31  
(responsibility of the principal)



# POLLING QUESTION 3

When are 15-day reports of lobbying interest due?

- **Every 15 calendar days**
- **Every 15 business days**
- **Within 15 days of the initial communication on a bill, budget bill subject, administrative rule, or other topic**
- **Within 15 days of every communication on a bill, budget bill subject, administrative rule, or other topic**

[WIS. STAT. § 13.67](#)



# 15-DAY REPORTING OF LOBBYING INTERESTS

## 15-day reporting review

All Principals are required to report to the Commission the bills, administrative rules, budget subjects and topics not yet assigned a bill or rule number within 15 days of the first communication on that matter.

Only one 15-day report is required per-interest per-session.

[Wis. STAT. § 13.67](#)



# BUDGET BILL SUBJECTS

Budget bill subjects are determined by the agencies and program areas listed in the [Executive Budget Proposal](#).

Ethics Staff publishes the budget bill subjects on the lobbying website one to two days after the Executive Budget Address. At this time, Ethics Staff will also send a notification email to lobbyists and principals once the budget bill subjects have been published.

Lobbyists and principals engaging in lobbying communications regarding the state budget prior to the budget bill subjects being published should document those communications with a 15-day report of lobbying interest in a topic.



# LOBBYING TOPICS

Provide a **succinct written statement** sufficient to put the reader on notice of the communication's subject matter.

The statement should be equivalent to a bill or rule relating clause, but need not contain a statutory reference.



# SAMPLE 15 DAY REPORT

## Assembly Bill 1

Relating to: a school review system, providing an exemption from emergency rule procedures, providing an exemption from rule-making procedures, granting rule-making authority, and making an appropriation. (FE)

### Specify your Position and Comments

#### Interest Notification Date



#### Interest Reporting Period

- January 2015 to June 2015
- July 2015 to December 2015
- January 2016 to June 2016
- July 2016 to December 2016

#### Position

-  For
-  Against
-  Other
-  Undisclosed





**QUESTIONS?**

# REPORTING REQUIREMENTS DURING THE REPORTING PERIOD

## Daily itemization of time

Communicating vs. "Hours Other"

## Who needs to track time?

Lobbyists and non-lobbyist employees participating in lobbying activity

EXCEPT

- *Clerical employees*
- *Individuals devoting less than 10 hours in a six-month reporting period to lobbying*
- *Unpaid volunteers*



# LOBBYIST TIME REPORTS

EFFORTS FOCUSED ON ATTEMPTING TO INFLUENCE LEGISLATIVE OR ADMINISTRATIVE ACTION

## Lobbying Communication

- Meeting directly with state officials (including elected officials, legislative aides, and agency employees with rule-making responsibilities)
- Appearing at public hearings
- Phone calls
- Conversational exchange of electronic messaging
- Requires “back and forth” dialogue
- Excludes de minimis amounts of time

## Other Lobbying Related Activity

- Preparation and research
- Time spent monitoring legislative and state agency activities
- Drafting letters/emails
- Internal meetings to discuss lobbying issues and strategy
- Collecting, compiling, or analyzing facts, data, or other information
- Preparing to communicate with state officials or state employees
- Preparing for grassroots lobbying

[Wis. STAT. § 13.62\(10g\)](#)



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# SAMPLE TIME SHEET

## July 2016 Hours

Date	Hours Communicating	Hours Other
1 - Friday	0	0
2 - Saturday	0	0
3 - Sunday	0	0
4 - Monday	0	0
5 - Tuesday	0	0
6 - Wednesday	0	0
7 - Thursday	0	0
8 - Friday	0	0
9 - Saturday	0	0
10 - Sunday	0	0



# 15- DAY REPORTING SCENARIO

- A principal's lobbyist meets with a legislative aide to pursue the drafting of legislation that would create a tax exemption for cat food.
- During the budget drafting, the bill language about cat food exemption is included in the Department of Revenue's budget.
- The cat food tax exemption doesn't make it into the final budget.
- Later in legislative session, the Legislator then introduces a standalone bill for the tax exemption of cat food.
- The lobbyist continues to communicate with legislative staff throughout this process.

Report interest within 15 days of the initial communication about the topic with the legislative aide

Report interest within 15 days of the initial communication after the topic became a budget bill subject

Report interest within 15 days of the initial communication after the budget bill subject became a standalone bill



# LOBBYIST TIME REPORTING SCENARIO

- October 1 - lobbyist spends two hours putting together a presentation on why the Legislature should pass a certain bill.
- On October 2 - lobbyist meets with board members for one hour to discuss their legislative strategy for the presentation.
- On October 3 - lobbyist drafts a letter to the organization's members reminding them of the upcoming election.
- On October 4 - lobbyist shares the presentation with at separate meetings with three legislators for an hour at each meeting.

October 1<sup>st</sup> - 2 hours – other

October 2<sup>nd</sup> - 1 hour – other

October 3<sup>rd</sup> – no time reported (communication was not regarding lobbying)

October 4<sup>th</sup> - 3 hours - communicating





**QUESTIONS?**

# REPORTING REQUIREMENTS AT THE END OF EACH REPORTING PERIOD

## **Statements of Lobbying Activities and Expenditures (SLAEs)**

- Subjects of lobbying – come from 15-day reports
- Reasonable estimate of proportion of lobbying time for each bill, rule, topic, and budget bill subject reported
- Expenditures, benefits and time
- Identity of non-lobbyist employees making lobbying communications



# POLLING QUESTION 4

How long do principals have to retain lobbying records?

- **Five years after the legislative session**
- **One year after the expense statement (SLAE) is submitted**
- **Three years after the expense statement (SLAE) is submitted**

[Wis. STAT. § 13.68\(5\)](#)



# RETENTION OF RECORDS

Each principal and each lobbyist engaged by a principal shall obtain, organize and preserve all accounts, bills, receipts, books, papers and other documents necessary to substantiate the expense statement, including an account identifying the amount of time that a principal and each of its authorized lobbyists spend on lobbying each day, **for 3 years after the date of filing the expense statement**. A principal may permit its authorized lobbyist to maintain any of the records identified in this subsection on its behalf.

[Wis. STAT. § 13.68\(5\)](#)



# REPORTING TIME & MONEY

Statutes require a reasonable estimate of lobbying expenditures made and a good faith effort to record daily information for reporting.

[Wis. STAT. § 13.68](#)

Do *not* artificially inflate hours by including grassroots lobbying time!

(only include the expenses from grassroots organizing)



# STATEMENT OF LOBBYING ACTIVITY AND EXPENDITURES

## Statement Of Lobbying Activities And Expenditures Reporting

2015-2016 Legislative Session

January-June 2015

test

### **1** [Lobbyist Time Report](#)

Name Of Authorized Lobbyist(s)	Date Lobbyist(s) Certified Time Report
Bell, Brian	<a href="#">View Report</a> 5/6/2015

### **2** [Non-Lobbyist Time Report](#)

### **3** [Time And Expenditure Summary](#)

### **4** [Allocation Of Lobbying Effort](#)

### **5** [Verification Of Totals And Certification](#)

Select Another Principal Report



# STATEMENT OF LOBBYING ACTIVITY AND EXPENDITURES

## Time and Expenditure data entry summary screen

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Lobbyists: Hours And Payments ▼

Non-Lobbyist Employees: Hours, Compensation And Reimbursement ▼

Public Relations, Research, Volunteer' Expenses and Other Lobbying ▼

Non-Lobbyist Employees Who Devoted Time To Lobbying Communications ▼

Payment Or Reimbursement To Officials ▼

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# STATEMENT OF LOBBYING ACTIVITY AND EXPENDITURES

## 3 Time And Expenditure Summary

2019-2020 Legislative Session  
 January-June 2019  
 Red Shoes Ltd

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### Lobbyists: Hours And Payments

Lobbyist Name	Hours Attributable To Lobbying		Payments Attributable To Lobbying	Reimbursement For Travel Expenses	Reimbursement For All Other Expenses
	(Communicating)	(Other)			
<b>Wisconsin Ethics Commission</b>					
			\$0.00	\$0.00	\$0.00
<b>Russell, Caroline</b>					
	0.00	0.00	\$0.00	\$0.00	\$0.00
<b>Greve, Colette</b>					
	0.00	0.00	\$0.00	\$0.00	\$0.00
<b>Subtotals =</b>	<b>0.00</b>	<b>0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Total Hours =</b>	<b>0.00</b>	<b>0.00</b>	<b>Totals Dollars =</b>		<b>\$0.00</b>



# NON-LOBBYIST TIME REPORT

- Enter time for all non-lobbyist and non-clerical employees that spent **10 or more hours during the reporting period on lobbying-related activities**, including “Communication” and “Other”.
- This report is designed to account for those employees that may not be required to obtain a lobbyist license via the 5-communication threshold, but are spending a significant amount of time (10 hours or more) on lobbying-related activity.

[WIS. STAT. § 13.68\(1\)\(a\)](#)

**NOTE:** If their duties are not limited exclusively to lobbying, and they had lobbying communications on 5 or more days within 6 months, they must obtain a lobbyist license and authorization from the principal and pay all applicable fees.

2015-2016 Legislative Session  
January-June 2015  
test

Enter Non-Lobbyist Times

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Non-Lobbyist Hours By Month In Reporting period

January 2015 Hours

February 2015 Hours

March 2015 Hours

April 2015 Hours

May 2015 Hours

June 2015 Hours

Total Non-Lobbyist Hours

	Hours Communicating	Hours Other
<b>Total Hours:</b>	0.00	0.00

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# SAMPLE SLAE

## Lobbying And Time Expenditures

2017-2018 Legislative Session

July-December 2018

New SLAE/PrintLayout Test

Description Of Totals And Expenditures	Hours Communicating	Hours Other	Dollars
<b>Lobbyists</b>	<b>206.00</b>	<b>204.00</b>	<b>\$52,880.00</b>
[REDACTED]			\$0.00
[REDACTED]	32.00	31.00	\$14,540.00
[REDACTED]			\$0.00
[REDACTED]	21.00	21.00	\$5,800.00
[REDACTED]	50.00	50.00	\$6,100.00
[REDACTED]	32.00	31.00	\$14,540.00
[REDACTED]			\$0.00
[REDACTED]	21.00	21.00	\$5,800.00
[REDACTED]	50.00	50.00	\$6,100.00
Comments:			
<b>Non-Lobbyist Employees</b>	<b>12.00</b>	<b>12.00</b>	<b>\$0.00</b>
Comments:			

Overhead <sup>1</sup>			\$0.00
Payments to Officials <sup>2</sup>			
[REDACTED]			\$75.00
Travel and Living Expenses			
a) Lobbyist Employees			\$0.00
b) Non-Lobbyist Employees			\$0.00
All Other Lobbying Expenses			\$0.00
<b>Total Lobbying Time And Expenditures:</b>	<b>218.00 Hours</b>	<b>216.00 Hours</b>	<b>\$52,955.00</b>

Allocation of Lobbying Effort	Percent
Legislative Proposals	0%
Budget Bill Subjects	0%
Administrative Rulemaking Proceedings	0%
Topics Not Yet Assigned A Bill Or Rule Number	0%
Minor Efforts	0%
All Other Matters	100%
<b>Total Reported Lobbying Effort:</b>	<b>100%</b>

**This Statement of Lobbying Activities and Expenditures is not yet certified.**

1.

\*Overhead\* refers to office space, utilities or supplies used for lobbying for the principal. See Wis. Stat. §13.68(1)(b). To add overhead costs, click the Calculate Overhead button below:

2.

Wis. Stats. 13.68(d): Reimbursement to officials.





**QUESTIONS?**

# SLAE SCENARIO

A principal has communicated on many different matters throughout the reporting period. It is now January 25<sup>th</sup>, and the principal is filing their SLAE before the deadline on January 31. Why are there no legislative matters listed under Step 4 of the SLAE, "Allocation of Efforts" ?

The principal did not submit required 15-day reports for the initial communications they have during the period.

These 15-day reports will be considered late because they were submitted more than 15 days after the last possible day to have had an initial communication on a legislative matter inside the reporting period.



# VIOLATIONS

## STANDARD SETTLEMENT SCHEDULES

### Late Filing of Semi-Annual Lobbying Report (§ 13.68)

Days Late	First Offense	Second or Greater Offense
2 business days	No action	Warning
3-5 days	Warning	\$50
6-15 days	Warning	\$100
16-29 days	\$50	\$250
30+ days	\$100	\$500

### Late Payment of Lobbying Fees (§ 13.75)

The lobbyist is responsible for the payment of their lobbyist license fee and the principal for the fees associated with the principal registration and lobbyist authorization. WIS. STAT. §§ [13.63](#), [13.75](#).

Days Late	Lobbyist	Principal
1-15	Warning	Warning
16-30	\$100	\$200
31-45	\$200	\$400
46+	\$300	\$600

### Late Reporting of the First Communication on a Lobbying Matter (§ 13.67(1))

(Also known as Late Reporting of 15-Day Reports)

Late Reports	Percent of Total Effort	Forfeiture
1 <sup>st</sup> Occurrence of Late Reported Interest	< 10 percent	Warning
	>= 10 percent	\$25 Per Interest
2 <sup>nd</sup> Occurrence of Late Reported Interest	< 10 percent	\$50 Per Interest
	<= 10 percent	\$100 Per Interest
3 <sup>rd</sup> of Greater Occurrence of Late Reported Interest	Any	\$100 Per Interest

### Unauthorized Lobbying (§ 13.65)

Before engaging in lobbying on behalf of a principal, a lobbyist or the principal must obtain authorization for the lobbyist to represent the principal.

Violator	First Instance of Unauthorized Lobbying	Second Instance of Unauthorized Lobbying	Aggregate Total Maximum
Lobbyist	\$100 per excess communication	\$200 per excess communication	\$1,000
Principal	\$200 per excess communication	\$400 per excess communication	\$2,000





**QUESTIONS?**

# RESTRICTIONS



# POLLING QUESTION 5

Can a lobbyist buy a legislator and their staff a cup of coffee while discussing potential legislation at a coffee shop?

- **Yes**
- **No**



# WISCONSIN STATUTES §13.625

**No lobbyist** and **no business or organization that employs a lobbyist (principal)** may give **anything** of pecuniary value to an elected state official, candidate for state elective office, legislative employee, or agency official

Note: individuals representing limited lobbying principals are lobbyists, and therefore are subject to the same prohibitions as lobbyists laid out in [Wis. STAT. §13.625](#)

*Except...*



# EXCEPTIONS TO §13.625

## AVAILABLE TO THE GENERAL PUBLIC

Items and services a lobbying principal makes available to the general public

- Items and services are generally considered to be available to the general public if they are available to anyone who wants or is eligible for the item or service without any preference or advantage to state officials.
  - Preferential treatment includes advanced notice to state officials that the items or services are available.



# EXCEPTIONS TO §13.625

## CAMPAIGN CONTRIBUTIONS

- A lobbyist may make a personal contribution to a **partisan elected official or candidate for partisan state office** from the first day authorized by law for the circulation of nomination papers until general election day or special election day
- A lobbyist may make a personal contribution to a **legislator** from the first day authorized by law for the circulation of nominations papers until general or special election if the Legislature has concluded its final floor period and is not in special or extraordinary session (check <https://legis.wi.gov>)

Contributions to candidates for local and non-partisan office allowed if not currently holding a partisan office

Contribution on behalf of a committee may be delivered at any time

\*note: this restriction applies to lobbyists that represent limited lobbying principals

[WIS. STAT. § 13.625\(1m\)b](#)



# MORE EXCEPTIONS TO §13.625

- Reimbursement to an elected state official, candidate for state elective office, legislative employee, or agency official for expenses related to presenting a talk.
- Giving informational materials that are not of substantial value.
- Giving items or services of value to a relative or member of the same household.

**There are *even more* exceptions to §13.625. Contact us if you believe your circumstance qualifies as an exception *before* the event or activity takes place!**





**QUESTIONS?**



State of Wisconsin  
Ethics Commission

## NOTEWORTHY WEBSITE CHANGES SUMMARY

### Lobbyist Authorization:

- Duties Agreed Upon by Principal and Lobbyist
  - duties exclusive or not exclusive to “lobbying” as defined by statute
- Lobbyist Type Removal
  - in-house and contract
- Authorization approval only after authorization fee paid

Fringe and Overhead calculations

# DUTIES AGREED UPON BY PRINCIPAL AND LOBBYIST

## Lobbyist Information:

Please choose the choice that best represents the relationship between principal and lobbyist. For your information and consideration, please take these definitions into account:

- "Lobbyist" means an individual who is employed by a principal, or contracts for or receives economic consideration, other than reimbursement for actual expenses, from a principal and who duties include lobbying on behalf of the principal. If an individual's duties on behalf of an individual are not limited exclusively to lobbying, the individual is a lobbyist only if he or she makes lobbying communications on each of at least 5 days within a reporting period." [Wis. Stat. § 13.62 \(11\)](#).
- "Lobbying" means the practice of attempting to influence legislative or administrative action by oral or written communication with any elective state official, agency official or legislative employee, and includes time spent in preparation for such communication and appearances at public hearings or meetings or service on a committee in which such preparation or communication occurs. [Wis. Stat. § 13.62 \(10\)](#).

Please select one of the following statements to describe the duties agreed upon by the principal and lobbyist: \*

- Lobbyist's duties on behalf of the principal are exclusively limited to attempting to influence legislative or administrative action
- Lobbyist's duties on behalf of the principal are not exclusively limited to attempting to influence legislative or administrative action

Cancel

Save



# LOBBYIST TYPE REMOVAL

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Online Reporting Menu

Continue

Lobbyists: Hours And Payments

Non-Lobbyist Employees: Hours, Compensation And Reimbursement

Public Relations, Research, Volunteer' Expenses and Other Lobbying

Non-Lobbyist Employees Who Devoted Time To Lobbying Communications

Payment Or Reimbursement To Officials

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Online Reporting Menu

Continue

## Authorized Lobbyists

Lobbyist Name	Authorized	Withdrawn	Status	Commands
	10/31/2018		Licensed	<input type="button" value="Edit"/> <input type="button" value="Withdraw"/>
	10/31/2018		Licensed	<input type="button" value="Edit"/> <input type="button" value="Withdraw"/>
	10/31/2018		Licensed	<input type="button" value="Edit"/> <input type="button" value="Withdraw"/>

Start Over

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Continue >



# LOBBYIST AUTHORIZATION APPROVAL

- Lobbyist authorization for a principal will not be approved until the authorization fee has been paid.
- “Date Authorized” will be blank if the authorization fee has not been paid.

2017-2018 Legislative Session

[Redacted]

Profile Authorized Lobbyists Lobbying Interests Lobbying Efforts

Print

Lobbyist Name	Date Authorized	Authorization Withdrawn
[Redacted]	10/31/2018	
[Redacted]	10/31/2018	
[Redacted]	10/31/2018	



# FRINGE AND OVERHEAD CALCULATIONS

- Fringe benefits
  - Should be included in the payments to lobbyists portion of the SLAE
  - Fringe benefits will no longer be included separately on the SLAE
- Overhead costs
  - Overhead costs will no longer be automatically calculated
  - They will automatically be \$0.00 unless manually changed

[WIS. STAT. § 13.68\(1\)b](#)



# MANUALLY ENTER OVERHEAD COSTS

<b>All Other Matters</b>	<b>0%</b>
<b>Total Reported Lobbying Effort:</b>	<b>100%</b>

1.

Principals are not required to itemize overhead costs if those costs have been included in the "Payments Attributable to Lobbying" section of the Time and Expenditure Summary. "Overhead" refers to office space, utilities or supplies utilized in preparation for lobbying communications. [Wis. Stat. §13.68\(1\)\(b\)](#). Overhead costs can be itemized by clicking the "Calculate Overhead" button below.

2.

[Wis. Stats. 13.68\(j\)](#): Reimbursement to officials.

Calculate Overhead

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## Overhead

Check each item that is included in the Total Overhead amount at the bottom of this section

- |   |  |
|---|--|
| <input type="checkbox"/> Office Space/Rent                      | <input type="checkbox"/> Utilities (gas, electric, water, phone, internet, etc.) |
| <input type="checkbox"/> Computers (and other office equipment) | <input type="checkbox"/> Office Supplies/Postage                                 |
| <input type="checkbox"/> Books                                  | <input type="checkbox"/> Periodicals   |
| <input type="checkbox"/> Clerical Support                       | <input type="checkbox"/> Security  |
| <input type="checkbox"/> Employee Parking                       | <input type="checkbox"/> Other   |

Provide a brief description of how the overhead costs were calculated (ex: actual amount/percentage, the following additional items were included, etc.).

490 character(s) remaining

Total Overhead:

Save Alternate Method Values

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**QUESTIONS?**

# FOCUS

- FOCUS is an email subscription service that brings customizable lobbying information directly to your inbox every day.
- Select criteria of interest – “insurance”, “Assembly Bill 1”,  
The Ethics Commission will send you an email when any Eye On Lobbying activity takes place on that topic.  
*Neat!*
- \$100 per session



# SAMPLE FOCUS EMAIL

This email contains a report of activity in the Wisconsin Government Accountability Board's Eye on Lobbying website over the past 24 hours, based on your FOCUS subscription preferences.

## Bills Affecting Wis. Stats. Chapter 1

Bill Number	Relating To	Reported Date
<a href="#">January 2014 Special Session Senate Bill 1</a>	Relating to: reducing the lowest individual income tax rate; providing technical college property tax relief aid; establishing a technical college district revenue limit; the carry-back of net operating losses; the sales and use tax exemption for commercia...	10/14/2014
<a href="#">January 2014 Special Session Senate Bill 2</a>	Relating to: workforce training grants to technical colleges, workforce training grants for collaborative projects among school districts, technical colleges, and businesses, workforce training grants and services to enhance employment opportunities for pe...	10/14/2014

## Keyword : "job"

### Legislative bills/resolutions

Bill Number	Relating To	Reported Date
<a href="#">January 2014 Special Session Senate Bill 1</a>	Relating to: reducing the lowest individual income tax rate; providing technical college property tax relief aid; establishing a technical college district revenue limit; the carry-back of net operating losses; the sales and use tax exemption for commercia...	10/14/2014

## Principal Activities: 1000 Friends of Wisconsin

### Legislative Bills/Resolution

Bill Number	Position	Reported Date
<a href="#">Assembly Bill 5</a>	Other	10/14/2014

### Budget Bill Subjects

Subject	Reported Date
<a href="#">Administration: Facilities Management and Facilities Development</a>	10/14/2014



# WHERE TO GET MORE INFORMATION

- Wisconsin Ethics Commission website (<https://ethics.wi.gov>)

[Resources](#)

[About Lobbying in Wisconsin](#)

[Eye on Lobbying User's Guide](#)

- [Eye On Lobbying FAQs](#)

- [Advisory opinions](#)

[Prompt, confidential, authoritative]

- Wisconsin Ethics Commission staff

We would love to help you remain *ethical*.



# CONTACT ETHICS COMMISSION STAFF

[Ethics.wi.gov](http://Ethics.wi.gov)

[Lobbying.wi.gov](http://Lobbying.wi.gov)

(608)266-8123

[lobbying@wi.gov](mailto:lobbying@wi.gov)

*It's better to ask for permission than forgiveness!*

