
1991 Wis Eth Bd 1
LOBBYING AND LOBBYISTS

A candidate for elective state office may not accept salaried employment from a principal. Eth. Bd. 621

February 14, 1991

Facts

[1] This opinion is based upon these understandings:

- a. You are an employee of a "principal" under the lobbying law.
- b. You may become a candidate for an elective state office.

Question

[2] The State of Wisconsin Ethics Board understands your question to be:

May a candidate for an elective state office continue employment with a principal?

Discussion

[3] The lobbying law prohibits a principal under that law from furnishing "to any . . . candidate for an elective state office . . . money or any other thing of pecuniary value . . ." § 13.625, *Wisconsin Statutes*. Similarly, the statute prohibits such a candidate from soliciting or accepting anything of pecuniary value from a principal. § 13.625(3), *Wisconsin Statutes*.¹ Wages, salaries, commissions, retainer fees, expenses and fringe benefits have pecuniary value and may not be accepted by a candidate for elective state office if offered by a principal. The only exception carved out by the Legislature to the general prohibition that a principal may not furnish wages, salaries or other benefits to employees who are prohibited from receiving such items under the lobbying law is for employees to whom the statute's prohibitions apply solely because of their membership on state commissions, boards,

¹ Section 13.625(3), *Wisconsin Statutes*, provides:

13.625(3) No candidate for an elective state office, elective state official, agency official or legislative employe of the state may solicit or accept anything of pecuniary value from a lobbyist or principal, except as permitted under subs. (1)(b)3 and (c), (2), (5), (6) and (7). No personal campaign committee of a candidate for state office may accept anything of pecuniary value from a lobbyist or principal, except as permitted for such a candidate under subs. (1)(b)3 and (c), (2) and (6).

councils, or committees for which such individuals receive only a per diem or reimbursement of expenses.

Advice

[4] Except for the exception noted, the Legislature, by statute, has forbidden a candidate for election to a state office to receive wages, salary, or other compensation from an organization that employs a lobbyist. Accordingly, the Ethics Board recommends that you terminate or suspend your employment by a principal if you become a candidate for an elective state office.