

Wisconsin's Lobbying Law

Wisconsin Government Accountability Board

Kevin J. Kennedy, Director and General Counsel

Jonathan Becker, Administrator, Division of Ethics and
Accountability



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

The big picture: the lobbying law --

- Strengthens citizens' confidence in the integrity of governmental officials
- Helps preserve the integrity of the governmental decision-making process
- Promotes a full and fair opportunity for citizens to address governmental officials, either directly, or through paid representatives, on the merits of issues

Lobbying by the numbers

In the 2009-2010 legislative session:

787 organizations were registered to lobby

823 lobbyists were licensed

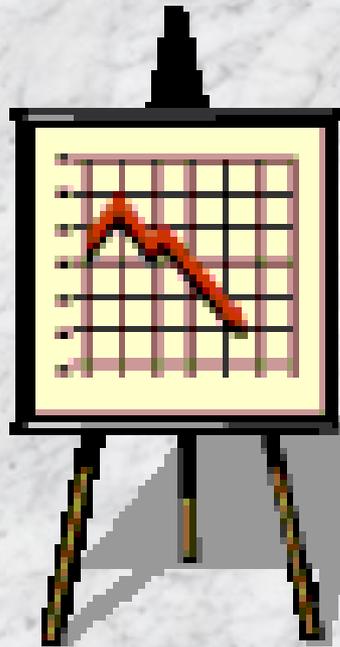
Lobbying organizations spent **\$53.96 million** lobbying.

In the past, lobbying spending had exceeded the total amount spent to elect the legislature.

For the 2009-2010 legislative session, the total amount spent to elect the legislature **exceeded** the total amount spent to lobby the legislature **by over \$19 million**

Lobbying organizations reported spending **410,584** hours lobbying (this is equivalent to one person working a 40 hour week for approximately 197 years without vacation)

The Three R's of Lobbying



- Registration
- Reporting
- Restrictions

Registration and Licensing



Registration and Licensing

- Every business or organization that employs a lobbyist must register.
- Every lobbyist must be licensed *and* authorized.

“Lobbying”

- Attempting to influence legislation or administrative rulemaking
- Includes development of proposal before introduction or attempting to block introduction of a proposal
- Does not include seeking a contract or grant
- Does not include quasi-judicial decisions

Who is a lobbyist?

- An individual who for compensation
- Communicates with state officials
- For the purpose of lobbying
- On 5 or more days in a six-month period
- Excludes communicating with own legislators
- Tax and child support delinquents

Who is a lobbying principal?

- If you employ an individual for compensation
- To communicate with state officials
- To lobby
- And the individual communicates with state officials
- On 5 or more days in a six-month period

Reporting Requirements



Reporting requirements during reporting period



Identification of bills, rulemaking proceedings, budget subjects, and lobbying topics

- **Bills, rules, and budget subjects within 15 days of first communication, after introduction**
- **Lobbying topics not yet assigned a bill or rule number within 15 days of first communication**

How to report

- **Report using tools on the Government Accountability Board website**
- **List of bills, current rulemaking proceedings, budget subjects**

Lobbying topics

Provide a **succinct written statement** sufficient to put the reader on notice of the communication's subject matter and whether the communication is an attempt to influence legislative action, an administrative rule, or both. The statement should be equivalent to a bill or rule relating clause, but need not contain a statutory reference.

Reporting requirements during reporting period



Daily itemization of time

- Meeting and preparation time -- including time spent developing a proposal for introduction
- Lobbyists and non-lobbyist employees -- *except*
 - Clerical employees
 - Individuals devoting less than 10 hours to lobbying
 - Unpaid volunteers

Reporting requirements at end of reporting period



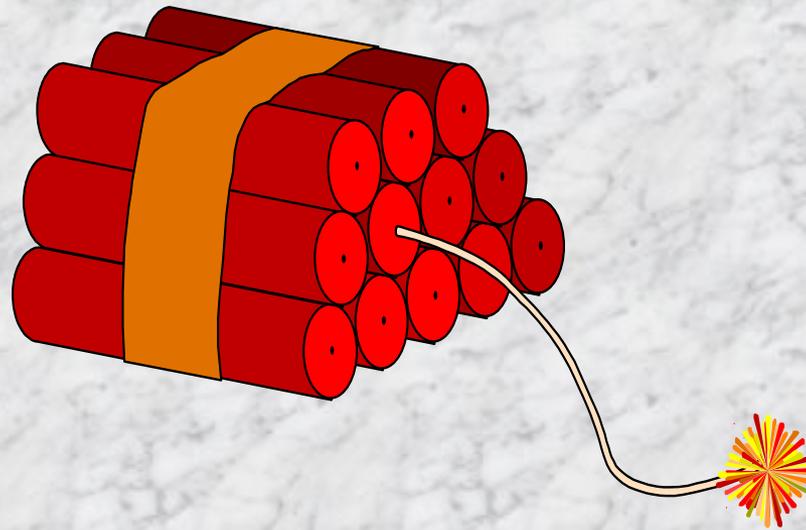
Subjects of Lobbying

- **Identify bills, rules, lobbying topics, and budget subjects accounting for 10% or more of principal's lobbying time**
- **Reasonable estimate of proportion of lobbying time for those matters**

Expenditures and time

Identity of non-lobbyist employees making lobbying communications

Restrictions



Section 13.625, *Wisconsin statutes*

No lobbyist

and no business or organization that employs a lobbyist

may furnish anything of pecuniary value

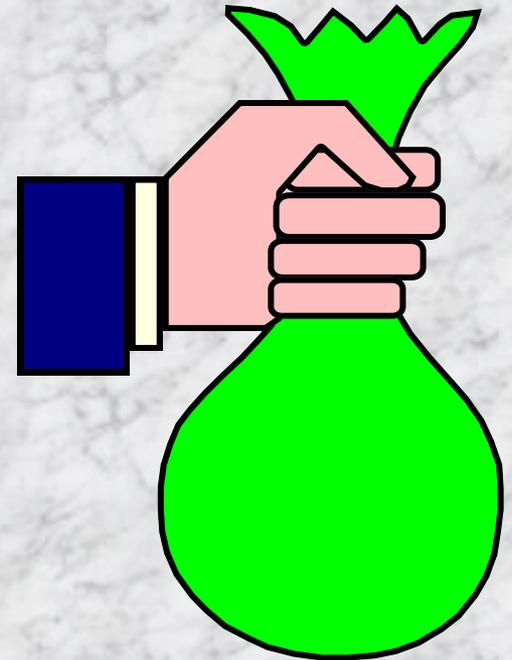
to an elected state official, candidate for state elective office, legislative employee, or agency official

Except --

Reimbursement for
presenting a talk

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

Campaign contributions at
certain times



Where to get more information

- Guidelines --<http://gab.wi.gov>
- Advisory opinions [Prompt, confidential, authoritative]
- Government Accountability Board's staff

