

February 2016 State of Wisconsin Employee Trust Funds

Ethics Code and Lobbying Law

Jonathan Becker, Division Administrator
Wisconsin Government Accountability Board



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 Investigation₂

Statutes

Ethics Code, subch. III, ch.19

- Don't use office for private gain
- Don't use office for unlawful benefit
- Don't solicit or accept anything if could reasonably be expected to influence judgment
- Don't participate in official matters in which you, your family, or organization with which you are associated has a financial interest

Lobbying law, subch. III, ch. 13

- Don't accept anything of pecuniary value from a lobbyist or from a lobbying principal

State Public Officials [19.42(13)]

Individuals appointed by the Governor – ETF Board (one member), Deferred Compensation Board, Group Insurance Board

Department Secretary, Deputy Secretary, Assistant Deputy, and Division Administrators

Use of Office For Private Benefit [19.45(2)]

No state public official

May use his or her position

To obtain financial gain or anything of substantial value

For the private benefit of himself or herself,

Or his or her immediate family,

Or for an organization with which the official is associated.

Lobbying Law [13.625]

No agency official

May accept from a lobbyist

Or from a business or organization that employs a lobbyist

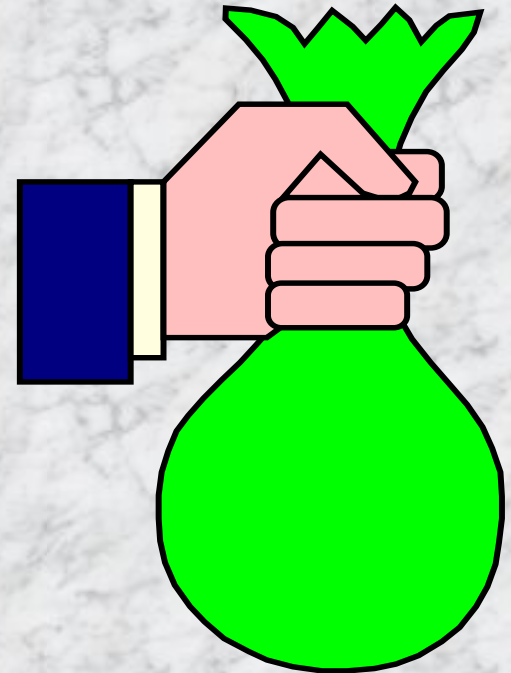
Anything of pecuniary value

Except --

Campaign contributions

Reimbursement for
presenting a talk

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



Accepting gifts, tickets, and the like

Do not accept any item of pecuniary value from a lobbyist (even if you pay or reimburse the lobbyist).

Do not accept anything of pecuniary value from a business or organization that employs a lobbyist unless the organization makes the same offer, in the same manner, to the general public.

Don't accept items or services of more than trivial value that are offered to you because of your official position.

Food, Drink Transportation and Lodging [19.45(3m)]

No state public official

May accept

Transportation, lodging, meals, food or
beverage

Except in accordance with s. 19.56(3).

Food, Drink, Transportation, and Lodging

You may accept transportation, lodging, meals, food and beverage if:

1. In connection with presenting a talk, or
2. If your acceptance of items is for the benefit of the state – attendance approved and the state would otherwise reimburse the expense, or
3. Invitation is unrelated to public position and not from a lobbyist or an organization that employs a lobbyist

REPORT if > \$50.

Influence and Reward [19.45(3)]

No state public official

May solicit or accept

Anything of value

If it could reasonably be expected to influence the official's judgment

Or could reasonably be considered a reward for official action.

Conflicting Interests [19.46(1)]

No state public official

May take any official action

Substantially affecting a matter

In which the official, a member of his or her immediate family, or an organization with which the official is associated

Has a substantial financial interest.

Disqualification and Abstention

You should vote on all matters before you

- Special treatment is required only when private interest is distinguishable from public's interests by nature or degree.
- Abstention is not cure for a conflict. Cure is removal of private interest that is conflicting with public responsibilities. Abstention, at best, is way to deal with short term or minor conflict.

Use of Confidential Information for Private Gain [19.45(4)]

No state public official

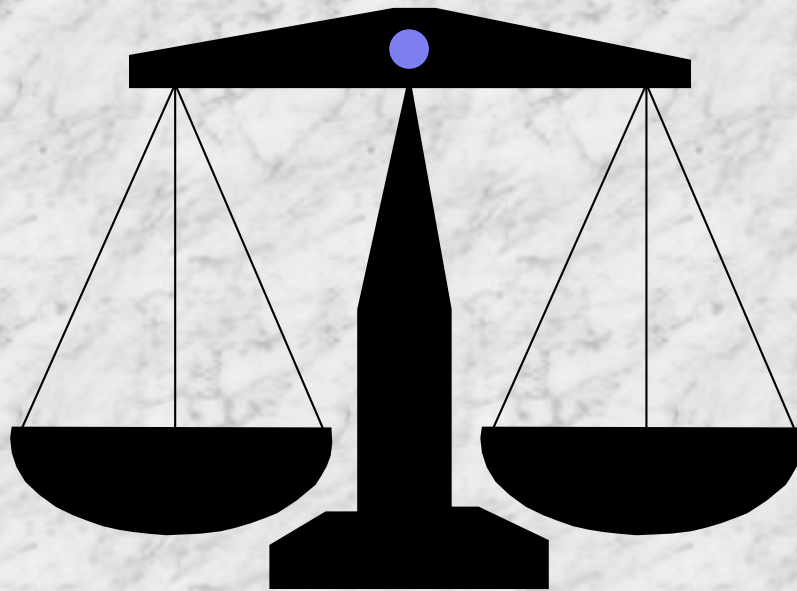
May use or disclose

Information gained through official position or activities

In a way that could result in the receipt of anything of value for private benefit

If the information has not been communicated to the public or is not public information.

Advisory Opinions



- Confidential
- Authoritative
- Consistent
- Written
- Insurance policy

Where to get more information

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