



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa2701/1
JTK/TKK/RAC:med:jf

**ASSEMBLY AMENDMENT 13,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 110**

March 6, 2012 – Offered by Representatives POCAN, KESSLER, TURNER, SEIDEL, SINICKI, MOLEPSKE JR, HEBL, POPE-ROBERTS, BEWLEY, BERCEAU, PASCH, ROYS and C. TAYLOR.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 4: after “pupils,” insert “attempts to influence action upon model
3 or similar proposed legislation, prohibiting the expending of certain moneys by
4 members of the legislature, reporting by certain persons providing or state public
5 officials receiving certain things of value for scholarship purposes,”.

6 **2.** Page 1, line 6: before that line insert:

7 **“SECTION 1b.** 13.123 (4) of the statutes is created to read:

8 13.123 (4) PAYMENT OF MEMBERSHIP FEES TO CERTAIN ORGANIZATIONS. No member
9 of the legislature may expend any moneys allocated for the operation of his or her
10 office for membership fees in any organization that proposes uniform, model,
11 suggested, or recommended legislation for consideration by the legislatures of this
12 state and other states.

1 **SECTION 1f.** 13.62 (8) of the statutes is amended to read:

2 13.62 (8) “Legislative action” means the development, drafting, introduction,
3 consideration, modification, adoption, rejection, review, enactment or defeat of any
4 bill, resolution, amendment, report, nomination, proposed administrative rule or
5 other matter by the legislature or by either house or any committee, subcommittee,
6 joint or select committee thereof, or by a legislator or employee of the legislature
7 acting in an official capacity. “Legislative action” also means the action of the
8 governor in approving or vetoing any bill or portion thereof, and the action of the
9 governor or any agency in the development of a proposal for introduction in the
10 legislature. “Legislative action” also includes the development, drafting,
11 consideration, modification, adoption, rejection, or defeat of uniform, model,
12 recommended, or suggested legislation by any body that recommends proposed
13 legislation for consideration by the legislatures of this state and other states.

14 **SECTION 1k.** 13.62 (10) of the statutes is amended to read:

15 13.62 (10) “Lobbying” means the practice of attempting to influence legislative
16 or administrative action by oral or written communication with any elective state
17 official, agency official or legislative employee, and includes time spent in
18 preparation for such communication and appearances at public hearings or meetings
19 or service on a committee in which such preparation or communication occurs.
20 “Lobbying” also includes the practice of attempting to influence legislative action by
21 oral or written communication with any person who is a member, employee, or agent
22 of a body that proposes uniform, model, suggested, or recommended legislation for
23 consideration by the legislatures of this state and other states.

24 **SECTION 1p.** 19.56 (2) (a) of the statutes is amended to read:

1 19.56 (2) (a) Except as provided in par. (b), every official required to file who
2 receives for a published work or for the presentation of a talk or participation in a
3 meeting, any lodging, transportation, money or other thing with a combined
4 pecuniary value exceeding \$50 excluding the value of food or beverage offered
5 coincidentally with a talk or meeting and every official required to file who receives
6 for attendance at a meeting or conference any thing of pecuniary value for
7 scholarship purposes shall, on his or her statement of economic interests, report the
8 identity of every person from whom the official receives such lodging, transportation,
9 money or other thing during his or her preceding taxable year, the circumstances
10 under which it was received and, the approximate value thereof, and whether the
11 thing of value was received for scholarship purposes.

12 **SECTION 1s.** 19.56 (2m) of the statutes is created to read:

13 19.56 (2m) Each person who provides any thing of value to a member of the
14 legislature for scholarship purposes shall file a report with the board, in the manner
15 and form specified by the board, within 90 days after the thing of value is provided,
16 disclosing the name of each member who received the thing of value together with
17 the name of any legislative employee or agency official who received any thing of
18 value in connection with the same transaction or occurrence, the date that the thing
19 of value was provided, and the names of any persons who contributed money to the
20 person for the purpose of providing the thing of value within the 12-month period
21 preceding the date on which the thing of value is provided.

22 **SECTION 1w.** 19.579 (1) of the statutes is amended to read:

23 19.579 (1) Except as provided in sub. (2), any person who violates this
24 subchapter may be required to forfeit not more than \$500 for each violation of s.
25 19.43, 19.44, or 19.56 (2) or (2m) or not more than \$5,000 for each violation of any

1 other provision of this subchapter. If the court determines that the accused has
2 realized economic gain as a result of the violation, the court may, in addition, order
3 the accused to forfeit the amount gained as a result of the violation. In addition, if
4 the court determines that a state public official has violated s. 19.45 (13), the court
5 may order the official to forfeit an amount equal to the amount or value of any
6 political contribution, service, or other thing of value that was wrongfully obtained.
7 If the court determines that a state public official has violated s. 19.45 (13) and no
8 political contribution, service or other thing of value was obtained, the court may
9 order the official to forfeit an amount equal to the maximum contribution authorized
10 under s. 11.26 (1) for the office held or sought by the official, whichever amount is
11 greater. The attorney general, when so requested by the board, shall institute
12 proceedings to recover any forfeiture incurred under this section which is not paid
13 by the person against whom it is assessed.”.

14 **3.** Page 1, line 6: delete “**SECTION 1**” and substitute “**SECTION 1y**”.

15 **4.** Page 12, line 2: after that line insert:

16 “**SECTION 12m. Initial applicability.**

17 (1) The treatment of section 13.62 (8) and (10) of the statutes first applies with
18 respect to lobbying that occurs on the first day of the 2nd month beginning after the
19 effective date of this subsection.

20 (2) The treatment of section 19.56 (2) (a) of the statutes first applies with
21 respect to things of value received on the effective date of this subsection.

