

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **04/21/99**

Received By: **kuesejt**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-9915**

By/Representing: **Worzala**

This file may be shown to any legislator: **NO**

Drafter: **kuesejt**

May Contact:

Alt. Drafters:

Subject: **Ethics**

Extra Copies:

Pre Topic:

LFB:.....Worzala

Topic:

Lobbying concerning budget bill subjects and unIntroduced proposals

Instructions:

Per motion #504

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kuesejt 04/22/99	chanaman 04/23/99		_____			
/1	kuesejt 06/15/99	gilfokm 06/15/99	martykr 04/27/99	_____	lrb_docadmin 04/27/99		
/2			martykr 06/15/99	_____	lrb_docadmin 06/15/99		
/3	kuesejt 06/15/99	wjackson 06/15/99	mclark 06/15/99	_____	ismith 06/15/99		

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12 13	kuesejt 6/15	amh 6/15	martykr 06/15/99	_____	lrb_docadmin 06/15/99		
FE Sent For:		13	MRC 6/15	MRC/CH 6/15			<ENDS>

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/1	kuesejt 6/15		martykr 04/27/99	_____	lrb_docadmin 04/27/99		
			<i>Kra 6/16</i>	<i>cmh 4/15</i>			
FE Sent For:							
<END>							

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17/11	kuesejt 4/22	cmh 4/23 1	km 4/27	ob 4/27 km 4/27			

FE Sent For:

<END>

Amendment to motion said
 provide that the Ethics Board shall
 promulgate rules defining what constitutes
 a topic that must be reported on." Senator Cowles

ETHICS BOARD

Lobbying Law Requirements

Motion:

Move to require that if a principal engages a lobbyist to make a lobbying communication where the lobbying does not relate to either a legislative proposal or a proposed administrative rule that has been numbered, the principal must report to the Ethics Board each topic of a lobbying communication made by or intended to be made by the principal no later than 15 days after the first communication on the topic, as defined under the statute, is made. Further, require that the principal, if a topic of a lobbying communication accounts for 10% or more of the principal's time spent on lobbying during a reporting period, report a reasonable estimate of the time spent on lobbying with respect to that topic. In addition, require the Department of Administration to provide information technology support to the Ethics Board to effect implementation of the proposed changes. Lastly, provide that these changes would be first effective with respect to lobbying communications made on or after July 1, 2000.

Note:

Currently, if a principal engages a lobbyist to attempt to influence legislative or administrative action the principal must register and report certain information to the Ethics Board. The principal must report the bill or proposed rule number to the Ethics Board within 15 days after making its first lobbying communication with respect to the bill or proposed rule. In addition, if a bill or proposed administrative rule accounts for 10% or more of the time spent by the principal on lobbying during a six-month reporting period, the principal must further report an estimate of the proportion of the principal's time spent on lobbying associated with that bill or proposed rule. These requirements would be extended to lobbying communications on topics of legislation for not yet introduced legislative proposals.

Penalties associated with the current reporting requirements would also extend to the topic reporting requirement. Under current law, violators are subject to a reprimand for the first violation, or for more than one violation within a three-year period a forfeiture of not more than \$100 may be assessed. Knowingly false reports may result in a fine of not more than \$10,000 or imprisonment for not more than five years or both. The motion would also require DOA to provide information technology support to the Ethics Board to aid in implementation the proposed changes.

Motion #504

Kuesel, Jeffery

From: Worzala, David
Sent: Tuesday, April 20, 1999 5:20 PM
To: Kuesel, Jeffery
Subject: LRB Drafts for the Budget

Jeff,

This email follows-up on our conversation regarding the Joint Finance actions at their Executive Session this morning. I would appreciate LFB drafts on the following items.

1. The JFC voted to retain current law regarding the Glass Ceiling Commission. Therefore those sections of the budget bill related to creating a Glass Ceiling Board should be eliminated.
2. A motion was passed during discussion on the Ethics Board that would require principals that engage a lobbyist to make lobbying communications where the lobbying does not relate to either a legislative proposal or proposed rule that has been numbered the principal would be required to notify the Ethics Board within 15 days. I have faxed you the motion. The motion was based upon LRB-2337/1. Note that there is a different effective date and the word topic needs a definition. The motion was also amended to require the Ethics Board to promulgate rules defining what constitutes a topic that must be reported on.

We envision that the language will provide a definition of topic which the Board will refine through its rulemaking for implementation.

If you have any questions, please give me a call. 6-9915

1999

Date (time) needed

DATE SOON

LRB b *0165, 1*

**LFB BUDGET AMENDMENT
[ONLY FOR LFB]**

JTK :my :

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**LFB AMENDMENT
TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

At the locations indicated, amend the bill as follows:

#. Page *132*, line *10*: *after that line insert.*

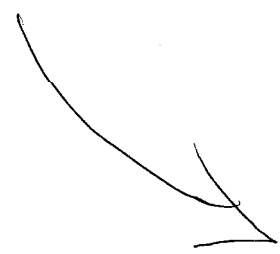
~~#. Page, line~~

~~#. Page, line~~

~~#. Page, line~~

~~#. Page, line~~

~~#. Page, line~~



BILL

lobbying during a reporting period, to report a reasonable estimate of the time spent on lobbying with respect to that topic. In addition, the bill standardizes reporting requirements for lobbying to include activity relating to all legislative proposals, rather than only bills.

Violators are subject to a reprimand, or for more than one violation within a three-year period, a forfeiture (civil penalty) of not more than \$100. A principal who or which knowingly files a false statement may be fined not more than \$10,000 or imprisoned for not more than five years or both.

The bill also directs the department of administration to provide information technology support to the ethics board to effect implementation of the changes proposed by the bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3m

1 SECTION 1. 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 employe 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.

3m

11 SECTION 2. 13.67 of the statutes is amended to read:

*B
and topics*

12 **13.67 Identification of legislative and administrative proposals. (1)**

13 Except as authorized under s. 13.621, no person may engage in lobbying as a lobbyist
14 on behalf of a principal and no principal may authorize a lobbyist to engage in
15 lobbying on its behalf unless the principal reports to the board, in such manner as

BILL

1 the board may prescribe, each ~~bill~~ legislative proposal or proposed administrative
2 rule number in connection with which the principal has made or intends to make a
3 lobbying communication or, if the lobbying does not relate to a legislative proposal
4 or proposed administrative rule that has been numbered, each topic of a lobbying
5 communication made or intended to be made by the principal. The principal shall
6 file the report no later than the end of the 15th day after the date on which the
7 principal makes a lobbying communication with respect to a legislative proposal ~~or,~~
8 proposed administrative rule or topic not previously reported by the principal under
9 this section during the biennial period for which the principal is registered. With
10 respect to a lobbying communication relating to the executive budget bill or bills
11 introduced under s. 16.47, the principal shall further identify from among topics
12 provided by the board the topic or topics of its lobbying communications, if any. The
13 report shall be made by a person who is identified by the principal under s. 13.64 (1)
14 (e).

15 (2) Any person who is not a principal may, upon payment of the fee prescribed
16 under s. 13.75 (5), register with the board an interest in any ~~bill or~~ legislative
17 proposal, proposed administrative rule or topic.

18 ~~SECTION 8.~~ ²²⁶ 13.68 (1) (bn) of the statutes is amended to read:

19 13.68 (1) (bn) For each ~~bill or~~ legislative proposal, proposed administrative rule
20 or topic that accounts for 10% or more of the principal's time spent in lobbying during
21 the reporting period, the principal's reasonable estimate of the proportion of its time
22 spent in lobbying associated with that ~~bill or~~ legislative proposal, proposed rule or
23 topic. With respect to the executive budget bill or bills introduced under s. 16.47, the
24 principal shall further identify from topics provided by the board each topic that
25 accounts for 10% or more of the principal's time spent in lobbying during the

BILL

1 reporting period and the principal's reasonable estimate of the proportion of its time
2 spent in lobbying associated with that topic.

3 SECTION 4. 13.75 (5) of the statutes is amended to read:

4 18ag 13.75 (5) Registering an interest in a bill or legislative proposal, proposed
5 administrative rule or topic under 13.67 (2), \$10.

Page 1398, line 24: after third line insert:

6 " (48) SECTION 5. Nonstatutory provisions, information technology support.

7 (108) The department of administration shall cooperate with the ethics board
8 with respect to information technology support and shall provide information
9 technology support to the ethics board to effect implementation of this act. " of the

10 SECTION 6. Initial applicability.

11 (1) The treatment of section 13.67 (1) of the statutes first applies with respect
12 to lobbying communications made on the effective date of this subsection.

13 (2) The treatment of section 13.62 (1) (bn) of the statutes first applies with
14 respect to the first reporting period under section 13.62 (12r) of the statutes
15 beginning after the effective date of this subsection. "

16 (END)

dn →

8

Section 39. CR; 13.685 (4)
13.685 (4) The board shall, by rule, define the
term "topic" for purposes of ss. 13.67 and 13.68 (1) (bn). "

nonstat

nonstat

nonstat

CS
no bond

NOB

CS

statutes,
as affected
by

B

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0165/1dn

JTK.....

cmr

stat. corp.

I understand that the Committee was concerned about whether a communication pertaining to a particular topic would be a "lobbying communication" that would require identification under s. 13.67, stats., and reporting under s. 13.68 (1) (bn), stats., as affected by this draft. The term "lobbying communication" is defined in s. 13.62 (10g), stats. This term, in turn, incorporates the term "lobbying", which is defined in s. 13.62 (10), stats., and that term, in turn, incorporates the terms "administrative action" and "legislative action", which are defined in s. 13.62 (1) and (8), stats. There are innumerable potential forms that a lobbying communication can assume. The key elements are 1) oral or written communication; 2) contact with a state agency official, elective state official or legislative employe; and 3) an attempt to influence administrative or legislative action. The statutes must be applied to the specific facts to determine whether a lobbying communication has been made. It is not possible to answer, in a legislative draft or administrative rule, every question that will arise. For example, a 15-minute oral communication between a lobbyist and a legislator relating solely to the problems of the Milwaukee Brewers pitching staff would not be a lobbying communication. However, a 5-second oral communication between the same parties to the effect that "I trust we will have your support when the Brewers Stadium bill is introduced" would be a lobbying communication. The issue of what constitutes a "lobbying communication" must be constantly confronted and determined under current law. This proposal does not change that process.

9

←

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0165/1dn
JTK:cmh:km

Apr 27, 1999

I understand that the Committee was concerned about whether a communication pertaining to a particular topic would be a "lobbying communication" that would require identification under s. 13.67, stats., and reporting under s. 13.68 (1) (bn), stats., as affected by this draft. The term "lobbying communication" is defined in s. 13.62 (10g), stats. This term, in turn, incorporates the term "lobbying", which is defined in s. 13.62 (10), stats., and that term, in turn, incorporates the terms "administrative action" and "legislative action", which are defined in s. 13.62 (1) and (8), stats. There are innumerable potential forms that a lobbying communication can assume. The key elements are 1) oral or written communication; 2) contact with a state agency official, elective state official or legislative employe; and 3) an attempt to influence administrative or legislative action. The statutes must be applied to the specific facts to determine whether a lobbying communication has been made. It is not possible to answer, in a legislative draft or administrative rule, every question that will arise. For example, a 15-minute oral communication between a lobbyist and a legislator relating solely to the problems of the Milwaukee Brewers pitching staff would not be a lobbying communication. However, a 5-second oral communication between the same parties to the effect that "I trust we will have your support when the Brewers Stadium bill is introduced" would be a lobbying communication. The issue of what constitutes a "lobbying communication" must be constantly confronted and determined under current law. This proposal does not change that process.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

Date: 6/15/99

DELIVER TO: Jeff Kuesel

Addressee Fax #: _____ Addressee Phone #: _____

of Pages, Including Cover: 6 Sender's Initials: DW

From: David Worzala

Message:

1999 - 2000 LEGISLATURE

LRBb0165/1
JTK:cmh:km

LFB:.....Worzala - Lobbying concerning unIntroduced proposals
FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION
LFB AMENDMENT
TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 1. Page 122, line 10: after that line insert:

3 "SECTION 3m. 13.62 (8) of the statutes is amended to read:

4 13.62 (8) "Legislative action" means the development, drafting, introduction,
5 consideration, modification, adoption, rejection, review, enactment or defeat of any
6 bill, resolution, amendment, report, nomination, proposed administrative rule or
7 other matter by the legislature or by either house or any committee, subcommittee,
8 joint or select committee thereof, or by a legislator or employe of the legislature
9 acting in an official capacity. "Legislative action" also means the action of the
10 governor in approving or vetoing any bill or portion thereof, and the action of the
11 governor or any agency in the development of a proposal for introduction in the
12 legislature.

"SECTION 1m. 13.62 (8a) of the statutes is created to read:

13.62 (8a) "Legislative proposal" means a bill, resolution or joint resolution."

insert
3)(s)

INSERT A
ATTACHED

SECTION 3n. 13.67 of the statutes is amended to read:

13.67 Identification of legislative and administrative proposals and topics. (1) Except as authorized under s. 13.621, no person may engage in lobbying as a lobbyist on behalf of a principal and no principal may authorize a lobbyist to engage in lobbying on its behalf unless the principal reports to the board, in such manner as the board may prescribe, each bill legislative proposal or proposed administrative rule number in connection with which the principal has made or intends to make a lobbying communication or, if the lobbying does not relate to a legislative proposal or proposed administrative rule that has been numbered, each topic of a lobbying communication made or intended to be made by the principal. The principal shall file the report no later than the end of the 15th day after the date on which the principal makes a lobbying communication with respect to a legislative proposal or proposed administrative rule or topic not previously reported by the principal under this section during the biennial period for which the principal is registered. With respect to a lobbying communication relating to the executive budget bill or bills introduced under s. 16.47, the principal shall further identify from among topics provided by the board the topic or topics of its lobbying communications, if any. The report shall be made by a person who is identified by the principal under s. 13.64 (1) (e).

(2) Any person who is not a principal may, upon payment of the fee prescribed under s. 13.75 (5), register with the board an interest in any bill or legislative proposal, proposed administrative rule or topic.

SECTION 3o. 13.68 (1) (bn) of the statutes is amended to read:

13.68 (1) (bn) For each bill or legislative proposal, proposed administrative rule, or topic that accounts for 10% or more of the principal's time spent in lobbying during

over an identified budget subject which relates to a possible legislative proposal or proposed administrative rule

budget subject

1 the reporting period, the principal's reasonable estimate of the proportion of its time
 2 spent in lobbying associated with that ~~bill or legislative proposal~~, proposed rule or ^{*budget subject*}
 3 ~~topic~~. With respect to the executive budget bill or bills introduced under s. 16.47, the
 4 principal shall further identify from topics provided by the board each topic that
 5 accounts for 10% or more of the principal's time spent in lobbying during the
 6 reporting period and the principal's reasonable estimate of the proportion of its time
 7 spent in lobbying associated with that topic

8 SECTION 3p. 13.685 (4) of the statutes is created to read:

9 13.685 (4) The board shall, by rule, define ^{*what constitutes a*} ~~the term~~ "topic" for purposes of ss.
 10 13.67 and 13.68 (1) (bn)."

11 SECTION 3q. 13.75 (5) of the statutes is amended to read:

12 13.75 (5) Registering an interest in a ~~bill or legislative proposal~~, proposed
 13 ^{*budget subject*} ~~administrative rule or topic~~ under 13.67 (2), \$10."

14 2. Page 1398, line 22. after that line insert:

15 "(18ag) INFORMATION TECHNOLOGY SUPPORT. The department of administration
 16 shall cooperate with the ethics board with respect to information technology support
 17 and shall provide information technology support to the ethics board to effect
 18 implementation of the requirements imposed under sections 13.67 and 13.68 (1) (bn)
 19 of the statutes, as affected by this act."

20 3. Page 1451, line 4: after that line insert:

21 "(1g) IDENTIFICATION OF LOBBYING TOPICS. The treatment of section 13.67 (1) of
 22 the statutes first applies with respect to lobbying communications made on July 1,
 23 2000.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0165/2
JTK/tmh:km

WANTED NOW

King

LFB:.....Worzala - Lobbying concerning unIntroduced proposals
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION
LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 122, line 10: after that line insert:

3 ~~SECTION 3m.~~ 13.62 (8) of the statutes is amended to read:

4 13.62 (8) "Legislative action" means the development, drafting, introduction,
5 consideration, modification, adoption, rejection, review, enactment or defeat of any
6 bill, resolution, amendment, report, nomination, proposed administrative rule or
7 other matter by the legislature or by either house or any committee, subcommittee,
8 joint or select committee thereof, or by a legislator or employe of the legislature
9 acting in an official capacity. "Legislative action" also means the action of the
10 governor in approving or vetoing any bill or portion thereof, and the action of the
11 governor or any agency in the development of a proposal for introduction in the
12 legislature.

✓
JWS
1-2

✓
JWS
1-12

SECTION 3n. 13.67 of the statutes is amended to read:

13.67 Identification of legislative and administrative proposals and

topics. (1) Except as authorized under s. 13.621, no person may engage in lobbying

as a lobbyist on behalf of a principal and no principal may authorize a lobbyist to

engage in lobbying on its behalf unless the principal reports to the board, in such

manner as the board may prescribe, each ~~bill~~ ^{or} legislative proposal ^{or budget bill} proposed subject

administrative rule number in connection with which the principal has made or and

intends to make a lobbying communication or, if the lobbying does not relate to a

legislative proposal or proposed administrative rule that has been numbered ^{or a} each ^{budget}

topic of a lobbying communication made or intended to be made by the principal. The ^{bill} subject

principal shall file the report no later than the end of the 15th day after the date on

which the principal makes a lobbying communication with respect to a legislative

proposal ~~or~~ ^{budget bill subject} proposed administrative rule ^{or topic} not previously reported by the

principal under this section during the biennial period for which the principal is

registered. ~~With respect to a lobbying communication relating to the executive~~

~~budget bill or bills introduced under s. 16.47, the principal shall further identify from~~

~~among topics provided by the board the topic or topics of its lobbying~~

~~communications, if any.~~ The report shall be made by a person who is identified by

the principal under s. 13.64 (1) (e).

(2) Any person who is not a principal may, upon payment of the fee prescribed

under s. 13.75 (5), register with the board an interest in any ~~bill or~~ legislative

proposal, proposed administrative rule ^{or topic} ^{budget bill subject}

SECTION 3o. 13.68 (1) (bn) of the statutes is amended to read:

13.68 (1) (bn) For each ~~bill or~~ legislative proposal, proposed administrative rule ^{or topic} ^{budget bill subject}

or other ^{other} that accounts for 10% or more of the principal's time spent in lobbying during

JNS
2.10

1 the reporting period, the principal's reasonable estimate of the proportion of its time
 2 spent in lobbying associated with that bill or legislative proposal, proposed rule ~~rule~~
 3 ~~With respect to the executive budget bill or bills introduced under s. 16.47, the~~
 4 principal shall further identify from topics provided by the board each topic that
 5 accounts for 10% or more of the principal's time spent in lobbying during the
 6 reporting period and the principal's reasonable estimate of the proportion of its time
 7 spent in lobbying associated with that topic ^{budget bill subject or other topic} ~~topic~~ _{plain period} ^{administrative}

8 SECTION 3p. 13.685 (4) of the statutes is created to read:
 9 13.685 (4) The board shall, by rule, define ^{what constitutes a} ~~the term~~ "topic" for purposes of ss.
 10 13.67 and 13.68 (1) (bn)."

11 SECTION 3q. 13.75 (5) of the statutes is amended to read:
 12 13.75 (5) Registering an interest in a bill or legislative proposal, proposed
 13 ^{budget bill subject} ~~administrative rule~~ ^{or other} ~~topic~~ under 13.67 (2), \$10."

14 2. Page 1398, line 24: after that line insert:
 15 "(18ag) INFORMATION TECHNOLOGY SUPPORT. The department of administration
 16 shall cooperate with the ethics board with respect to information technology support
 17 and shall provide information technology support to the ethics board to effect
 18 implementation of the requirements imposed under sections 13.67 and 13.68 (1) (bn)
 19 of the statutes, as affected by this act."

20 3. Page 1451, line 4: after that line insert:
 21 ⁹⁹ "(1g) IDENTIFICATION OF ^{BUDGET BILL SUBJECTS AND OTHER} LOBBYING TOPICS. The treatment of section 13.67 (1) of
 22 the statutes first applies with respect to lobbying communications made on July 1,
 23 2000.

lgh

1 (b) REPORTING CONCERNING LOBBYING TOPICS. The treatment of section 13.68 (1)
2 (bn) of the statutes first applies with respect to the reporting period under section
3 13.62 (12r) of the statutes beginning on July 1, 2000.”

4

(END)

**1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0165/2
JTK.....

INS 1-2 ✓

|| **SECTION 3k.** 13.62 (4m) of the statutes is created to read:

13.62 (4m) "Budget bill subject" means a subject specified by the board which is included in the executive budget bill or bills introduced under s. 16.47.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0339/1
JTK:jlj:jf

SENATE AMENDMENT,
TO 1999 SENATE BILL (LRB-2337/1)

PrS 1-12 ✓

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 10 after that line insert:

3 ~~SECTION~~ ^{3A→mi} 13.62 (8s) of the statutes is created to read:

4 13.62 (8s) "Legislative proposal" means a bill, resolution or joint resolution. ✕

5 2. Page 2, line 12: delete "legislative and administrative proposals" and
6 substitute "proposals and topics of communications".

7 3. Page 3, line 5: after "principal" insert "A proposal shall describe any topic
8 of a lobbying communication with reasonable specificity, sufficient to identify the
9 subject matter of the lobbying communication and whether the communication is an
10 attempt to influence legislative or administrative action, or both".

11 4. Page 4, line 12: delete "the effective date of this subsection" and substitute
12 "July 1, 2000".

13 5. Page 4, line 14: delete "first"

INSERT @ 2-10

from
20-339/1

scored
period

~~3. Page 2, line 10:~~ after "principal" insert ^{PRINCIPAL} A proposal shall describe any topic of a lobbying communication with reasonable ^{sp} specificity, sufficient to identify the subject matter of the lobbying communication and whether the communication is an attempt to influence legislative or administrative action, or both.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0165/3
JTK:kmg&cmh:km

WARRP NOW

LFB:.....Worzala - Lobbying concerning budget bill subjects and
unintroduced proposals

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 1. Page 122, line 10: after that line insert:

3 "SECTION 3k. 13.62 (4m) of the statutes is created to read:

4 13.62 (4m) "Budget bill subject" means a subject specified by the board which
5 is included in the executive budget bill or bills introduced under s. 16.47.

6 SECTION 3m. 13.62 (8) of the statutes is amended to read:

7 13.62 (8) "Legislative action" means the development, drafting, introduction,
8 consideration, modification, adoption, rejection, review, enactment or defeat of any
9 bill, resolution, amendment, report, nomination, proposed administrative rule or
10 other matter by the legislature or by either house or any committee, subcommittee,
11 joint or select committee thereof, or by a legislator or employe of the legislature

1 acting in an official capacity. “Legislative action” also means the action of the
2 governor in approving or vetoing any bill or portion thereof, and the action of the
3 governor or any agency in the development of a proposal for introduction in the
4 legislature.

5 **SECTION 3mi.** 13.62 (8s) of the statutes is created to read:

6 13.62 (8s) “Legislative proposal” means a bill, resolution or joint resolution.

7 **SECTION 3n.** 13.67 of the statutes is amended to read:

8 **13.67 Identification of legislative and administrative proposals and**
9 **topics.** (1) Except as authorized under s. 13.621, no person may engage in lobbying
10 as a lobbyist on behalf of a principal and no principal may authorize a lobbyist to
11 engage in lobbying on its behalf unless the principal reports to the board, in such
12 manner as the board may prescribe, each bill or legislative proposal, budget bill
13 subject and proposed administrative rule number in connection with which the
14 principal has made or intends to make a lobbying communication or, if the lobbying
15 does not relate to a legislative proposal or proposed administrative rule that has been
16 numbered or a budget bill subject, each topic of a lobbying communication made or
17 intended to be made by the principal. A principal shall describe any topic of a
18 lobbying communication with reasonable specificity, sufficient to identify the subject
19 matter of the lobbying communication and whether the communication is an attempt
20 to influence legislative or administrative action, or both. The principal shall file the
21 report no later than the end of the 15th day after the date on which the principal
22 makes a lobbying communication with respect to a legislative proposal ~~or~~, proposed
23 administrative rule, budget bill subject or other topic not previously reported by the
24 principal under this section during the biennial period for which the principal is
25 registered. ~~With respect to a lobbying communication relating to the executive~~

1 ~~budget bill or bills introduced under s. 16.47, the principal shall further identify from~~
2 ~~among topics provided by the board the topic or topics of its lobbying~~
3 ~~communications, if any. The report shall be made by a person who is identified by~~
4 ~~the principal under s. 13.64 (1) (e).~~

5 (2) Any person who is not a principal may, upon payment of the fee prescribed
6 under s. 13.75 (5), register with the board an interest in any bill or legislative
7 proposal, proposed administrative rule, budget bill subject or other topic.

8 **SECTION 3o.** 13.68 (1) (bn) of the statutes is amended to read:

9 13.68 (1) (bn) For each bill or legislative proposal, proposed administrative
10 rule, budget bill subject or other topic that accounts for 10% or more of the principal's
11 time spent in lobbying during the reporting period, the principal's reasonable
12 estimate of the proportion of its time spent in lobbying associated with that ~~bill or~~
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18 ~~that topic, budget bill subject or other topic.~~

19 **SECTION 3p.** 13.685 (4) of the statutes is created to read:

20 13.685 (4) The board shall, by rule, define what constitutes a "topic" for
21 purposes of ss. 13.67 and 13.68 (1) (bn).

22 **SECTION 3q.** 13.75 (5) of the statutes is amended to read:

23 13.75 (5) Registering an interest in a bill or legislative proposal, proposed
24 administrative rule, budget bill subject or other topic under 13.67 (2), \$10."

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2. Page 1398, line 24: after that line insert:

“(18ag) INFORMATION TECHNOLOGY SUPPORT. The department of administration shall cooperate with the ethics board with respect to information technology support and shall provide information technology support to the ethics board to effect implementation of the requirements imposed under sections 13.67 and 13.68 (1) (bn) of the statutes, as affected by this act.”

3. Page 1451, line 4: after that line insert:

“(1gg) IDENTIFICATION OF BUDGET BILL SUBJECTS AND OTHER LOBBYING TOPICS. The treatment of section 13.67 (1) of the statutes first applies with respect to lobbying communications made on July 1, 2000.”

CS
~~BUDGET BILL SUBJECTS AND OTHER~~

(1gh) REPORTING CONCERNING LOBBYING TOPICS. The treatment of section 13.68 (1) (bn) of the statutes first applies with respect to the reporting period under section 13.62 (12r) of the statutes beginning on July 1, 2000.”

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0165/3
JTK:kmg&cmh:mrc

LFB:.....Worzala - Lobbying concerning budget bill subjects and
unintroduced proposals

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

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2 **1.** Page 122, line 10: after that line insert:

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8 “(1gg) IDENTIFICATION OF BUDGET BILL SUBJECTS AND OTHER LOBBYING TOPICS. The
9 treatment of section 13.67 (1) of the statutes first applies with respect to lobbying
10 communications made on July 1, 2000.

11 (1gh) REPORTING CONCERNING BUDGET BILL SUBJECTS AND OTHER LOBBYING TOPICS.
12 The treatment of section 13.68 (1) (bn) of the statutes first applies with respect to the
13 reporting period under section 13.62 (12r) of the statutes beginning on July 1, 2000.”.

14 (END)