



2003 ASSEMBLY BILL 333

May 13, 2003 - Introduced by Representatives POCAN, BERCEAU, BIES, BLACK, J. LEHMAN, MILLER, STASKUNAS and J. WOOD, cosponsored by Senators CARPENTER, HANSEN and RISSER. Referred to Committee on Campaigns and Elections.

1 **AN ACT** *to repeal* 11.37 (2); *to renumber and amend* 11.37 (1); and *to amend*
2 20.855 (6) (h) and 20.916 (7) of the statutes; **relating to:** use of vehicles and
3 aircraft owned or leased by the state for purposes of political campaigning.

Analysis by the Legislative Reference Bureau

Currently, no person may use any vehicle or aircraft owned by the state or by any local government for any trip made exclusively for the purpose of political campaigning, unless use of the vehicle or aircraft is required for the purpose of security protection provided to the person by the state or local government. In addition, no person may use any vehicle or aircraft owned by the state or by any local government for purposes which include political campaigning unless the person pays to the state or local government a fee, determined by law, that is based upon the portion of the use that is attributable to political campaigning.

This bill precludes any person from using any vehicle or aircraft that is owned or leased by the state or a local government for any trip, the purposes of which include political campaigning. Violators are subject to a forfeiture (civil penalty) not exceeding \$500 for each violation. Intentional violators are guilty of a misdemeanor and may be fined not more than \$1,000 or imprisoned for not more than 6 months or both.

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

ASSEMBLY BILL 333**SECTION 1**

1 **SECTION 1.** 11.37 (1) of the statutes is renumbered 11.37 and amended to read:

2 **11.37 Travel by public officers.** No person may use any vehicle or aircraft
3 owned or leased by the state or by any local governmental unit for any trip ~~which is~~
4 ~~exclusively for~~, the purposes of which include campaigning in support of or in
5 opposition to any candidate for national, state, or local office, ~~unless use of the vehicle~~
6 ~~or aircraft is required for purposes of security protection provided by the state or local~~
7 ~~governmental unit.~~

8 **SECTION 2.** 11.37 (2) of the statutes is repealed.

9 **SECTION 3.** 20.855 (6) (h) of the statutes is amended to read:

10 20.855 (6) (h) *Vehicle and aircraft receipts.* The amounts in the schedule for
11 the purpose of subsidizing the cost of operation, maintenance, and depreciation of the
12 vehicles and aircraft owned by the state. All moneys received by state agencies under
13 ~~ss. 11.37 and s.~~ 20.916 (7) for ~~political and other~~ personal uses of state-owned
14 vehicles and aircraft shall be credited to this appropriation account. The department
15 of administration may transfer moneys from this appropriation to the proper
16 appropriation of any state agency from which state vehicle and aircraft costs are
17 financed.

18 **SECTION 4.** 20.916 (7) of the statutes is amended to read:

19 20.916 (7) **PERSONAL USE OF STATE VEHICLES AND AIRCRAFT.** With the approval of
20 the secretary of administration, a state officer or employee may use a state-owned
21 motor vehicle or state-owned aircraft for personal use, except as otherwise provided
22 in s. 11.37. An officer or employee shall reimburse the state for personal use of a
23 state-owned motor vehicle at the same reimbursement rate provided an employee
24 by the state for the use of his or her personal automobile on state business as
25 approved in the schedule under sub. (8). An officer or employee shall reimburse the

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1 state for personal use of a state-owned aircraft at a rate determined by the secretary
2 of administration which covers all costs associated with the operation of the aircraft.

3 (END)