

Chapter ETH 16

LOBBYING

ETH 16.02 Hospitality, defined.
ETH 16.03 Topic of a lobbying communication.

ETH 16.04 Proposed administrative rule number.

Note: Chapter Eth 1 as it existed on June 30, 1976 was repealed and a new Chapter Eth 1 was created effective July 1, 1976. Chapter Eth 1 was renumbered chapter GAB 16 under s. 13.92 (4) (b) 1., Stats., Register April 2008 No. 628. Chapter GAB 16 was renumbered Chapter ETH 16 under s. 13.92 (4) (b) 1., Stats., Register June 2016 No. 726.

ETH 16.02 Hospitality, defined. When used in s. 19.42 (1), Stats., “hospitality” includes but is not limited to meals, beverages and lodging which a host other than an organization offers a guest on premises owned or occupied by the host or his or her immediate family as the host’s principal or seasonal residence. Hospitality is unrelated to state business if the hospitality would be extended if the recipient or a member of the recipient’s immediate family did not hold a state public office.

Note: Anything of value is defined at s. 19.42 (1), Stats., and later appears at ss. 19.42 (6) and 19.45 (2), (3) and (4), Stats. Specifically excluded from the term is “. . . hospitality extended for a purpose unrelated to state business by a person other than an organization.”

In general, these sections provide that a state public official may not use his or her public office to obtain anything of substantial value and may not accept anything of value if it could reasonably be expected to influence the official’s judgment. Moreover, a state official must report annually the acceptance of anything of value received as a gift from someone other than a relative if its value exceeds \$50.

ETH 16.02 identifies the most common situations coming within the hospitality exclusion. Many other circumstances may come within the exclusion (e.g., wedding receptions, theater parties, hunting trips) but because of their diverse character no general rule can be stated. Written opinions on the term’s application to situations not addressed here may be obtained from the board on request.

The rule also identifies the circumstances under which hospitality is unrelated to state business.

History: Cr. Register, June, 1976, No. 246, eff. 7-1-76; am. (1) and (5), Register, September, 1976, No. 249, eff. 10-1-76; renum. (6) to be (7), cr. (6), Register, May, 1977, No. 257, eff. 6-1-77; am. (1), Register, June, 1977, No. 258, eff. 7-1-77; renum. (7) to be (8), cr. (7), Register, November, 1977, No. 263, eff. 12-1-77; am.

(intro.) r. and recr. (1) and r. (2) to (8), Register, October, 1978, No. 274, eff. 11-1-78; renum. (1) to be (2), cr. (1), Register, July, 1979, No. 283, eff. 8-1-79; am. (intro.) and (1), r. (2), Register, April, 1985, No. 352, eff. 5-1-85.

ETH 16.03 Topic of a lobbying communication. A person reports a topic as provided by s. 13.67, Stats., if the person provides the ethics commission all of the following information:

(1) A succinct written statement sufficient to put the reader on notice of the communication’s subject matter.

(2) Whether the communication is an attempt to influence legislative or administrative action, or both.

(3) With respect to an attempt to influence administrative action, if the lobbying communication relates to the subject of a scope statement published in the Wisconsin Administrative Register, the scope statement summary, together with the date of the register and page number on which the scope statement appears.

History: Cr. Register, September, 2000, No. 537, eff. 10-1-00; CR 03-061: am. Register December 2003 No. 576, eff. 1-1-04; correction in (intro.) made under s. 13.92 (4) (b) 6., Stats., Register June 2016 No. 726.

ETH 16.04 Proposed administrative rule number. A person reports a proposed administrative rule number as provided by s. 13.67, Stats., if the person provides the board any of the following:

(1) The related scope statement summary published in the Wisconsin Administrative Register, together with the date of the register and page number on which the scope statement appears.

(2) The clearinghouse rule number.

History: CR 03-061: cr. Register December 2003 No. 576, eff. 1-1-04.