

ORDER of the Wisconsin Ethics Board

The Wisconsin Ethics Board adopts an order to amend Eth1.03 and to create Eth1.04, relating to the identification of a topic of a lobbying communication that relates to an attempt to influence administrative action.

Analysis.

Statutory authority: s. 13.685(4), Stats.

Statutes interpreted: ss. 13.67 and 13.68(1)(bn), Stats.

The Ethics Board administers Wisconsin's Lobbying Law, Ch. 13, subch. III, Stats. Under s. 13.67, Stats., a lobbying principal must identify (and others may identify) to the Ethics Board the proposed administrative rule number in connection with which the principal has made or intends to make a lobbying communication.

In addition, a lobbying principal must identify (and others may identify) to the Ethics Board a topic of a lobbying communication that is not a legislative proposal or proposed administrative rule that has been numbered or a budget bill subject. Section 13.67, Stats. The statute requires that a principal describe each topic with reasonable 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. Section 13.685(4), Stats., requires that the Ethics Board, by rule, define what constitutes a topic.

The proposed rule amends Eth 1.03 as it relates to the type of information that a lobbying principal must provide to satisfy the statutory identification requirement with respect to administrative action, pursuant to ss. 13.67 and 13.68(1)(bn), Stats. The proposed rule also creates Eth 1.04 to specify how a principal must report a proposed administrative rule number. In each instance, if the lobbying communication relates to the subject of a scope statement published in the Wisconsin Administrative Register, the principal must identify the scope statement summary, together with the date of the register on which the scope statement appears.

Rule.

SECTION 1. Eth 1.03 is amended to read:

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

- (1) A succinct written statement sufficient to put the reader on notice of the communication's subject matter; ~~and~~

- (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.

SECTION 2. Eth1.04 is created to read:

1.04. 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.

Effective date.

This rule shall take effect on January 1, 2004 as provided in s. 227.22 (2) (intro.), Stats.

Dated: _____

Agency: _____