

1983 Assembly Bill 160

Date of enactment: **October 26, 1983**
Date of publication: **November 2, 1983**

1983 Wisconsin Act 61

AN ACT *to amend* 19.44 (1) (g); *to repeal and recreate* 19.56; and *to create* 19.44 (1) (h) of the statutes, *relating to* gifts, honorariums, fees and expenses received by state public officials.

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

SECTION 1. 19.44 (1) (g) of the statutes is amended to read:

19.44 (1) (g) The identity of each person or organization from which the person who is required to file received, directly or indirectly, any gift or gifts having an aggregate value of more than ~~\$100~~ \$50 within the taxable year preceding the time of filing, except that the source of a gift need not be identified if the donor is the donee's parent, grandparent, child, grandchild, brother, sister, parent-in-law, grandparent-in-law, brother-in-law, sister-in-law, uncle, aunt, niece, nephew, spouse, fiance or fiancée.

SECTION 2. 19.44 (1) (h) of the statutes is created to read:

19.44 (1) (h) Lodging, transportation, money or other things of pecuniary value reportable under s. 19.56 (2).

SECTION 3. 19.56 of the statutes is repealed and recreated to read:

19.56 Honorariums, fees and expenses. (1) Every state public official is encouraged to meet with clubs, conventions, special interest groups, political groups, school groups and other gatherings to discuss and to interpret legislative, administrative, executive or judicial processes and proposals and issues initiated by or affecting a department.

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

(b) Notwithstanding par. (a), an official need not report on his or her statement of economic interests concerning any compensation, reimbursement or payment which:

1. The official returns to the payor within 30 days of receipt;
2. Is paid to the official by a person or organization identified on the official's statement of economic interests under s. 19.44 (1) (e) or (f) as a source of income;
3. The official can show by clear and convincing evidence was made for a purpose unrelated to the purposes specified in sub. (1) and unrelated to the duties or responsibilities of the official's position; or
4. The official has previously reported to the board as a matter of public record.

(3) Notwithstanding s. 19.45, a state public official may receive and retain reimbursement or payment of actual and reasonable expenses for a published work or for the presentation of a talk or participation in a meeting and may receive and retain reasonable compensation if the work is published or the activity is accomplished by the official without the use of the state's time, facilities, services or supplies not generally available to all citizens of this state and, in the case of an official not holding an elective office, outside the course of his or her official duties. If a state public official receives a payment not authorized by this subchapter, in cash or otherwise, for a published work or a talk or meeting, the official may not retain it. If practicable, the official shall deposit it with the department with which he or she is associated or if that is not practicable, shall return it or its equivalent to the payor or convey it to the state or to a charitable organization other than one with which he or she is associated.
