



2011 ASSEMBLY BILL 673

March 7, 2012 - Introduced by Representatives VRUWINK, SINICKI, ZAMARRIPA, RINGHAND, C. TAYLOR, DANOU, JORGENSEN, TURNER, KESSLER, HEBL, POPE-ROBERTS, ROYS, CLARK, PASCH, POCAN and TOLES. Referred to Committee on Election and Campaign Reform.

1 **AN ACT** *to amend* 13.625 (1) (c) (intro.) and 13.625 (2); and *to create* 11.361 and
2 13.62 (11s) of the statutes; **relating to:** campaign contributions to the governor
3 or certain committees by lobbyists, principals, and other persons who may be
4 affected by proposed administrative rules.

Analysis by the Legislative Reference Bureau

Currently, with limited exceptions, no lobbyist or principal may make a political contribution to a partisan elective state official, including the governor, or his or her personal campaign committee, except in the year of the official's election during the period between June 1 and the day of the general election.

This bill provides that no person may make a political contribution to the governor or his or her personal campaign or authorized support committee if the person may be affected by a proposed rule on which action by the governor is pending. Violators are subject to a forfeiture (civil penalty) of not more than treble the amount of the unlawful contribution 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 six months, or both.

The bill also provides that no lobbyist who attempts to influence rule making by a state agency may make a political contribution to the governor or his or her personal campaign committee at any time that action on a proposed rule on which the lobbyist has attempted to influence action is pending before the governor. Similarly, the bill provides that no person who engages a lobbyist (principal) may make a political contribution to the governor or his or her personal campaign

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committee if the principal's lobbyist is prohibited from doing so. Lobbyists who violate the prohibition created by the bill are subject to a forfeiture of not more than \$1,000 for each violation. Principals who violate the prohibition are subject to a forfeiture of not more than \$5,000 for each violation.

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

1 **SECTION 1.** 11.361 of the statutes is created to read:

2 **11.361 Contributions to governor by persons who may be affected by**
3 **proposed rules prohibited.** No person may make a contribution to the governor
4 or his or her personal campaign committee or authorized support committee under
5 s. 11.05 (3) (p) if the person may be affected by a proposed rule on which
6 administrative action by the governor is pending under s. 13.62 (11s).

7 **SECTION 2.** 13.62 (11s) of the statutes is created to read:

8 **13.62 (11s)** "Pending," with respect to an administrative rule, means that the
9 statement of the scope of the proposed rule has been filed under s. 227.135 (2) and
10 the final draft of the proposed rule has not been approved by the governor under s.
11 227.185.

12 **SECTION 3.** 13.625 (1) (c) (intro.) of the statutes is amended to read:

13 **13.625 (1) (c) (intro.)** Except as permitted in this subsection, make a campaign
14 contribution, as defined in s. 11.01 (6), to a partisan elective state official for the
15 purpose of promoting the official's election to any national, state or local office, or to
16 a candidate for a partisan elective state office to be filled at the general election or
17 a special election, or the official's or candidate's personal campaign committee. A
18 campaign contribution to a partisan elective state official or candidate for partisan
19 elective state office or his or her personal campaign committee may be made in the
20 year of a candidate's election between June 1 and the day of the general election,

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1 except that no lobbyist who attempts to influence administrative action may make
2 a campaign contribution to the governor or his or her personal campaign committee
3 at any time that administrative action by the governor is pending on a proposed rule
4 on which the lobbyist has attempted to influence administrative action and except
5 that:

6 **SECTION 4.** 13.625 (2) of the statutes is amended to read:

7 13.625 (2) No principal may engage in the practices prohibited under sub. (1)
8 (b) and (c). No principal may make a campaign contribution that is prohibited from
9 being made under sub. (1) (c) by a lobbyist who is engaged by the principal. This
10 subsection does not apply to the furnishing of transportation, lodging, food, meals,
11 beverages or any other thing of pecuniary value which is also made available to the
12 general public.

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(END)