

SB1046 PH
12

SENATE HEARING SLIP

(Please Print Plainly)

DATE: _____

BILL NO. SB 104

OR
SUBJECT _____

(NAME) Sen Ellis

(Street Address or Route Number)

Neenah
(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information
only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: April 19, 2001

BILL NO. SB 104

OR

SUBJECT _____

(NAME) Joanne Wilkinson

(Street Address or Route Number) 1215 Suffolk Dr

(City and Zip Code) Janesville WI 53546

(Representing) WEAC

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 04-19-01

BILL NO. SB 62/104/115/137

OR

SUBJECT CFR

MARY BETH
(NAME)

8035 EXCELSTOR DR
(Street Address or Route Number)

MADISON 53717
(City and Zip Code)

AFSCME 24
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

REGISTERING
~~Speaking for information~~
only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

Vote Record

Senate - Committee on Judiciary, Consumer Affairs, and Campaign Finance Reform

Date: 7/19/01
 Moved by: George Seconded by: Huelsman
 AB: _____ SB: 104 Clearinghouse Rule: _____
 AJR: _____ SJR: _____ Appointment: _____
 AR: _____ SR: _____ Other: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrence |
| | <input type="checkbox"/> Confirmation |

Committee Member

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Sen. Gary George, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Fred Risser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Robert Wirch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Joanne Huelsman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Scott Fitzgerald	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 4 1 _____ _____

Motion Carried

Motion Failed

Vote Record

Senate - Committee on Judiciary, Consumer Affairs, and Campaign Finance Reform

Date: 7/19/01
 Moved by: George Seconded by: Huelsman
 AB: _____ SB: 104 Clearinghouse Rule: _____
 AJR: _____ SJR: _____ Appointment: _____
 AR: _____ SR: _____ Other: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: S 0159/1
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- Passage
- Introduction
- Adoption
- Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

Committee Member

Sen. Gary George, Chair
 Sen. Fred Risser
 Sen. Robert Wirch
 Sen. Joanne Huelsman
 Sen. Scott Fitzgerald

<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 4 1 _____ _____

Motion Carried

Motion Failed



**WISCONSIN LEGISLATIVE COUNCIL
STAFF MEMORANDUM**

TO: SENATOR GARY R. GEORGE, CHAIR, SENATE COMMITTEE ON JUDICIARY,
CONSUMER AFFAIRS AND CAMPAIGN FINANCE REFORM

FROM: Robert J. Conlin, Senior Staff Attorney *RJC*

RE: Comparison Table of Various Campaign Finance Reform Proposals

DATE: April 17, 2001

The attached table, prepared at your request, provides a brief side-by-side comparison of the following: (a) current law with respect to campaign finance; (b) 2001 Senate Bill 62; (c) 2001 Senate Bill 104; and (d) 2001 Senate Bill 137. All of the above bills relate to campaign finance reform.

Senate Bill 62 was introduced by Representative Burke and others; cosponsored by Representative Musser and others. Senate Bill 104 was introduced by Senator Ellis and others. Senate Bill 137 was introduced by Senator Risser and cosponsored by Representative Pocan and others. All three bills have been referred to the Senate Committee on Judiciary, Consumer Affairs and Campaign Finance Reform.

The attached table provides a summary of what might be considered the major provisions of the bills. It should not in any way be considered an exhaustive summary of those bills. The table is intended merely as a way to quickly compare some of the provisions of each proposal. However, it should be noted that even though all of the proposals rely on increased availability of public financing, they take very different approaches to effectuating campaign finance reform. Such differences make a true comparison of the various provisions difficult, and sometimes misleading. Both the Legislative Reference Bureau analyses and the text of the bills themselves should be consulted in order to obtain a more complete picture of the nature and scope of the proposals.

Should you have any questions about the contents of the table, please feel free to contact me at the Legislative Council Staff offices.

RJC:wu;rv

Attachment

Comparison of Campaign Finance Reform Proposals

SUBJECT	CURRENT LAW	SB 62 (SEN. BURKE)	SB 104 (SEN. ELLIS)	SB 137 ¹ (SEN. RISSER)
<i>Disbursement Limits:</i>				
Governor	\$1,078,200	\$2,000,000	\$2,000,000 ²	\$1,078,200
Lt. Governor	\$323,475	\$500,000	--	\$323,475
Attorney General	\$539,000	\$700,000	\$400,000	\$539,000
Secretary of State	\$215,625	\$250,000	\$200,000	\$215,625
Treasurer	\$215,625	\$250,000	\$200,000	\$215,625
Justice	\$215,625	\$300,000	\$200,000	\$215,625
Superintendent	\$215,625	\$250,000	\$200,000	\$215,625
Senator	\$34,500	\$100,000	\$120,000	\$34,500
Representative	\$17,250	\$50,000	\$60,000	\$17,250
<i>Amount of Grant</i>	<ul style="list-style-type: none"> • 45% of disbursement limit. • Subject to availability of funds. 	<ul style="list-style-type: none"> • Justice: 75% of disbursement level. • Other: 45% of disbursement level. • Supplemental grants available. • Fully funded. 	<ul style="list-style-type: none"> • Gov./Lt. Gov.: \$670,000 • Atty. Gen.: \$135,000 • Sec. of State: \$67,000 • Treasurer: \$67,000 • Justice: \$67,000 • Superintendent: \$67,000 • Sen.: \$40,000 • Rep.: \$20,000 • Supplemental grants available. • Fully funded. 	<ul style="list-style-type: none"> • Gov. \$500,000 • Sen. \$36,000 • Rep. \$18,000 • Supplemental grants available. • Fully Funded.
<i>Source of Funds</i>	\$1 income tax "checkoff."	\$5 income tax "checkoff" + sum sufficient appropriation.	\$1 income tax "checkoff" + sum sufficient appropriation.	Sum sufficient appropriation.
<i>Qualifying for Grant</i>	<ul style="list-style-type: none"> • 6% of votes cast in primary. • Raise 5% of disbursement limit through contributions from individuals of 	<ul style="list-style-type: none"> • Raise 5% of disbursement limit through contributions from individuals of \$100 or less who reside in the state--for Senate and Assembly 50% of individuals must 	<ul style="list-style-type: none"> • 6% of votes cast in primary. • Raise contributions from residents of state of \$100 or less in the following amounts: 	<ul style="list-style-type: none"> • Only candidates for Governor, Senator and Representative eligible. • To qualify for grant at general election, must have received at least 5% of votes at primary.

¹ Generally, Senate Bill 137 provides for public funding for candidates for the Offices of Governor, Senator and Representative. Those candidates that qualify for grants may generally only spend grant moneys. Thus, the bill leaves unaffected the current disbursement limits, but they effectively cease to operate as disbursement limits due to the modified funding scheme.

² Jointly with Lt. Governor.

SUBJECT	CURRENT LAW	SB 62 (SEN. BURKE)	SB 104 (SEN. ELLIS)	SB 137 ¹ (SEN. RISSER)
	<p>\$100 or less--10% for Senate and Assembly. Qualifying amounts are:</p> <p>Gov.: \$53,910 Lt. Gov.: \$16,174 Atty. Gen.: \$26,950 Sec. of State: \$10,781 Treasurer: \$10,781 Justice: \$10,781 Super.: \$10,781 Sen.: \$3,450 Rep.: \$1,725</p>	<p>reside in a county having territory within the legislative district. Qualifying amounts are:</p> <p>Governor: \$100,000 Lt. Gov.: \$25,000 Atty. Gen.: \$35,000 Sec. of State: \$12,500 Treasurer: \$12,500 Justice: \$15,000 Superintendent: \$12,500 Sen.: \$5,000 Rep.: \$2,500</p>	<p>Atty. Gen.: \$16,200 Sec. of State: \$8,040 Treasurer: \$8,040 Justice: \$8,040 Superintendent: \$8,040 Sen.: \$5,000 Rep.: \$2,500</p>	<p>•\$5 contributions from state residents and, for Senate and Assembly candidates, district residents.</p> <p>•The number of qualifying contributions that must be collected for each office is:</p> <p>Governor: 2,500 (\$12,500) Sen.: 150 (\$750) Rep.: 50 (\$250)</p>
<i>Individual Contribution Limits:</i>				
Governor	\$10,000	\$1,000	\$1,000	\$10,000 ⁴
Lt. Governor	\$10,000	\$1,000	\$1,000	\$10,000
Atty. General	\$10,000	\$1,000	\$1,000	\$10,000
Secretary of State	\$10,000	\$1,000	\$1,000	\$10,000
Treasurer	\$10,000	\$1,000	\$1,000	\$10,000
Justice	\$10,000	\$1,000	\$1,000	\$10,000
Superintendent	\$10,000	\$1,000	\$1,000	\$10,000
Senator	\$1,000	\$500	\$500	\$1,000 ⁴
Representative	\$500	\$250	\$250	\$500 ⁴

³ Total amount of individual contributions a grant candidate may receive.

⁴ Grant candidates may accept qualifying contributions and "seed money" prior to notification of qualification for a grant from individual contributions not exceeding \$100. Otherwise, grant candidates may receive no other contributions.

SUBJECT	CURRENT LAW	SB 62 (SEN. BURKE)	SB 104 (SEN. ELLIS)	SB 137 ¹ (SEN. RISSER)
<i>Committee Contributions:</i>				
Governor	\$43,128	\$45,000 ⁵	\$80,000 ^{2,6}	\$43,128 ⁷
Lt. Governor	\$12,939	\$45,000 ⁵	--	\$12,939
Atty. General	\$21,560	\$45,000 ⁵	\$16,000 ⁶	\$21,560
Secretary of State	\$8,625	\$45,000 ⁵	\$8,000 ⁶	\$8,625
Treasurer	\$8,625	\$45,000 ⁵	\$8,000 ⁶	\$8,625
Justice	\$8,625	\$45,000 ⁵	\$8,000 ⁶	\$8,625
Superintendent	\$8,625	\$45,000 ⁵	\$8,000 ⁶	\$8,625
Senator	\$1,000	\$1,000 ⁵	\$1,000 ⁶	\$1,000 ⁷
Representative	\$500	\$500 ⁵	\$500 ⁶	\$500 ⁷
<i>Conduits</i>	Contributions treated as individual contributions.	Contributions treated as committee contributions.	Same as current law.	Same as current law.
<i>Legislative Campaign Committees</i>	Contributions treated specially and not subject to standard committee contribution limits.	Contributions treated as other committee contributions.	Contributions treated as other committee contributions.	Same as current law.
<i>Time Restrictions on Contributions</i>	N/A	Prohibits contributions to incumbent state elected officials during legislative session prior to passage of budget and during floorperiods thereafter, except in cases of recall of the incumbent.	Prohibits candidates for major state office, including Senate and Assembly, from receiving any contribution in the last 10 days prior to an election.	N/A
<i>Committee-to-Committee Transfers</i>	N/A	<ul style="list-style-type: none"> Prohibits a committee from making a contribution to any other committee, except a political party committee, personal campaign committee or support committee. (Exception for committees affiliated with the same labor organization.) Prohibits contributions from one 	N/A	N/A

⁵ Grant candidates may not receive, and may not accept, contributions from committees, other than political party committees.

⁶ Grant candidates may not accept contributions from special interest committees.

⁷ Grant candidates may not receive contributions from any entity other than individuals, and then only in a limited amount.

SUBJECT	CURRENT LAW	SB 62 (SEN. BURKE)	SB 104 (SEN. ELLIS)	SB 137 ¹ (SEN. RISSER)
"Issue Ads"	Communications that expressly advocate the election or defeat of a clearly identified candidate are subject to registration and reporting requirement.	<p>personal campaign committee to another.</p> <p>Requires registration and reporting of information relating to contributions and disbursements associated with communications made by communications media, mass mailing or telephone bank operator within 60 days of an election that includes the name or likeness of a candidate, the name of an office to be filled or the name of a political party. Such communications are considered to be made for "political purposes."</p>	Requires registration and reporting of contributions and disbursements associated with communications made by communications media within 60 days of an election that includes a reference to a candidate, a reference to an office to be filled or a reference to a political party.	Requires the reporting of an expenditure for a communication that is made within 60 days of an election for the Office of Governor, Senator or Representative that contains a reference to a clearly identified candidate for one of those offices and that is made independently of the candidate. Defines a "communication" to mean a message transmitted by means of a printed advertisement, telephone call, or any medium that may be utilized for the purpose of disseminating or broadcasting a message, not including a poll.
<i>Supplemental Grants</i>	N/A	<ul style="list-style-type: none"> Provides extra grant to a candidate who has independent expenditures made against him or her, or who has independent expenditures made on behalf of his or her opponent. Extra grant equal to the value of those expenditures exceeding 10% of disbursement limit for the office. Provides extra grant to a candidate whose opponent does not accept grant and who accumulates cash or makes disbursements exceeding a combined total of the disbursement level of the office. Extra grant equal to the amount by which the cash accumulation and/or disbursements exceed the disbursement level. 	<ul style="list-style-type: none"> Provides extra grant equal to the amount of any contributions that are received by special interest committees for the purpose of making independent expenditures to oppose that candidate or to support his or her opponent and the total amount of contributions that those committees report that they intend to make to oppose that candidate or to support his or her opponent. Provides extra grant equal to the total amount of contributions that conducts report they have transferred or intend to transfer to opposing candidates. Provides extra grant equal to the total amount of contributions 	<ul style="list-style-type: none"> Provides extra grants equal to the amount of independent expenditures and outstanding obligations made in opposition to a candidate or in support of his or her opponent. Provides extra grant equal to the amount by which disbursements made by an opponent who does not accept a grant, or who violates a grant agreement, exceeds the amount of the grant payable for the office sought. Total grant payment capped at 2.5 times the grant amount originally payable.

SUBJECT	CURRENT LAW	SB 62 (SEN. BURKE)	SB 104 (SEN. ELLIS)	SB 137 ¹ (SEN. RISSER)
<i>Cost-of-Living Adjustment</i>	N/A	<p>Creates a cost-of-living adjustment to be determined by the Elections Board by rule every other year.</p> <ul style="list-style-type: none"> •Lowers overall individual contribution limit from \$10,000 to \$5,000. 	<p>accepted by opposing candidates above the level for which 24-hour reports are required.</p> <p>Creates a cost-of-living adjustment to be determined by the Elections Board by rule every other year.</p> <ul style="list-style-type: none"> •Changes the name of the Wisconsin Election Campaign Fund to the "Clean Government Fund." 	<p>Creates a cost-of-living adjustment to be determined by the Elections Board by rule every other year.</p> <ul style="list-style-type: none"> • Changes the name of the Wisconsin Election Campaign Fund to the "Clean Elections Fund."
<i>Other</i>	N/A	<ul style="list-style-type: none"> •Prohibits candidates from retaining beyond December 31 of even-numbered years unencumbered contributions exceeding 10% of total disbursement level for that office. •Prohibits contributions from committees or groups that do not maintain an office or street address in Wisconsin unless registered with the FEC. •Increases contribution limits to political parties from \$150,000 to \$300,000. •Limits the amount a candidate who accepts a grant may contribute to his or her own campaign to \$1,000. •Provides that a lobbyist may contribute to a candidate for partisan elective office only if the candidate seeks office in the jurisdiction or district where the lobbyist resides. •Prohibits a grant from being used to purchase an advertisement from a 	<ul style="list-style-type: none"> •Modifies current penalties as follows: (1) creates a \$500 per day forfeiture applicable to candidates, individuals or committees that make a disbursement for the purposes of supporting or opposing a candidate for a major state office or for the purposes of making certain communications without first registering and reporting as required by the bill; (2) creates enhanced penalties for incorrect reporting of contributions, disbursements or obligations for actions under (1), above. If the report is off by more than 5% to 10%, the forfeiture is four times the amount of the difference. If off by more than 10% to 15%, the forfeiture is six times the amount of the difference. If off by more than 15%, the forfeiture is eight times the amount of the difference; (3) allows for action to nullify an election if report is off by more than 15% and violations are of sufficient severity to have affected the result of the election; and (4) provides for a fine of up to \$10,000, 	<ul style="list-style-type: none"> •Requires unspent grant moneys to be returned to the state. •Provides that if a candidate does not adhere to the agreement required to obtain a grant, the candidate is subject to a civil forfeiture equivalent to the amount of the grant the candidate received. Also, the candidate may be fined not more than three times the amount of any contributions received by the candidate, excluding qualifying or seed money contributions.

SUBJECT	CURRENT LAW	SB 62 (SEN. BURKE)	SB 104 (SEN. ELLIS)	SB 137 ¹ (SEN. RISSER)
<i>Nonseverability</i>	N/A	<p>broadcast communications medium that includes voices other than the grant candidates.</p> <ul style="list-style-type: none"> • Creates a campaign finance contribution tax credit for which a credit of up to \$100 may be claimed. • Provides that lobbyists' expenses are not deductible. • Provides for the broadening of representation on the Elections Board. 	<p>imprisonment for up to five years, or both, if a person, with intent to deceive or conceal, accepts or transfers a contribution, makes a disbursement or incurs an obligation to make a disbursement for the purpose of supporting or opposing a candidate for a major state office or for the purpose of making certain communications without registering or reporting.</p> <ul style="list-style-type: none"> • Increases periodic reporting requirements to require certain reports on the 63rd, 42nd and 21st days prior to an election for certain committees that intend to make certain contributions and disbursements and requires reports of actual contributions and disbursements on the 39th and 18th days prior to an election. <p>Provides that if any part of the bill is found to be invalid, then all parts of the bill are void.</p>	<p>Provides that if any part of the bill is found invalid, those parts that are valid are severed from the invalid part, and the valid parts continue in force. (Current law.)</p>
		<p>Provides that if any part or all of certain provisions of the bill relating to "issue ads," the daily reporting of independent expenditures, the daily reporting applicable to candidates who do not accept a grant or the provision of certain supplemental grants are found unconstitutional, then all of those provisions are void in their entirety.</p>		

Table prepared by: Robert J. Conlin, Senior Staff Attorney
Wisconsin Legislative Council Staff
April 17, 2001