



# State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

## **RESEARCH APPENDIX -** **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 06/07/2013 (Per: CMH & JK)

### **☞ Compile Draft – Appendix D** **... Part I ←**

**Appendix A** ☞ The 2013 drafting file for LRB-0058

**Appendix B** ☞ The 2013 drafting file for LRB-1722

**Appendix C** ☞ The 2013 drafting file for LRB-1771

**Appendix D** ☞ The 2013 drafting file for LRB-2436

has been copied/added to the drafting file for

## **2013 LRBs0081**

**2013 DRAFTING REQUEST**

**Bill**

Received: **5/22/2013** Received By: **jkreye**  
Wanted: **Today** Same as LRB:  
For: **Cory Mason (608) 266-0634** By/Representing: **vick**  
May Contact: Drafter: **jkreye**  
Subject: **Elections - campaign finance** Addl. Drafters: **jkuesel**  
**Elections - miscellaneous** **tkuczens**  
Extra Copies: **TKK**  
**JTK**

Submit via email: **YES**  
Requester's email: **Rep.Mason@legis.wisconsin.gov**  
Carbon copy (CC) to: **joseph.kreye@legis.wisconsin.gov**  
**vicky.selkove@legis.wisconsin.gov**  
**andrew.hanus@legis.wisconsin.gov**  
**tracy.kuczenski@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Various campaign finance and election law changes

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**Instructions:**

See attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkreye 5/23/2013	kfollett 5/23/2013		_____			

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	tkuczens 5/24/2013	kfollett 5/24/2013	jmurphy 5/24/2013	_____ _____	sbasford 5/23/2013		
/1				_____ _____	lparisi 5/24/2013		

FE Sent For:

<END>

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/?	jkreye 5/23/2013	kfollett 5/23/2013		_____			
/P1		<i>1/15 F</i> <i>5/24</i>	rschluet <i>05/24</i>	_____	sbasford		
				<i>self</i>			

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u> 5/23/2013	<u>Proofed</u> _____	<u>Submitted</u> 5/23/2013	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

**<END>**

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**andrew.hanus@legis.wisconsin.gov**

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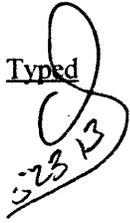
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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1/?	jkreye	1/PIK/f 5/23		_____	_____		

FE Sent For:

**<END>**

Draft request  
5/22/13

*Joe*

1. Increase contribution limits and PAC limits

✓ All current individual contribution limits should be doubled.

✓ The current statutory formula for PAC limits (the 45/65% formula based on the defunct disbursement limits) should be eliminated and replaced with specific limits set by statute. Which the bill should set as the product of the current levels (highlighted blue on attachment) multiplied by 2, with the product rounded up to the nearest \$1,000.

✓ ?PAC to party limit is currently \$6,000 per calendar year - raise this? *yes 2x*

✓ ?Parties (and leg campaign committees) are currently limited to \$150,000 overall in PAC money - raise this? *yes 2x*

✓ All limits should also be automatically adjusted for inflation (round up to the nearest \$25) every two years.

*Joe*

2. Eliminate the \$10,000 aggregate cap (Copy from 1763/P4)

*JK*

3. ~~Allow corporate and union contributions to segregated funds that exist exclusively for the purpose of political parties and legislative campaign committees to purchase, lease or maintain (etc.) buildings.~~

*JK*

4. Exempt volunteer internet activity from GAB regulation (Copy from 1763/P4)

LRB analysis provided as attachment for your reference

*use the file  
- Joe will pull out  
1101 1106 1130*

5. Fix the "dead" money problem in conduits

*JK*

Current law requires a conduit to gain permission from a donor before it may release the donor's contribution. A problem arises when the donor is deceased or otherwise impossible to contact. The statutes should provide that if a person becomes "unreachable," that person's donation may revert first to a sponsoring PAC or, only if a sponsoring PAC is unavailable, to an administrative fund for the conduit.

"Unreachable" should be defined as 10 unsuccessful and documented contact attempts over the previous 2 years.

*- not all in one month*

*John*  
*Done*

*re*  
*11.38(1)(a) 3,*

6. **Increase the \$500 cap on expenditures to solicit contributions**

Under current law, an organization that sponsors a PAC or conduit is limited to spending \$500 per year soliciting contributions to the PAC or conduit. Increase this limit to the greater of \$20,000 or 20% of the amount raised by the conduit or PAC in the previous year.

7. **Increase the frequency of campaign finance reporting**

*TK*

Current law requires ongoing campaign finance reports generally twice each year, and then extra reports near election dates.

The law should be updated as follows:

Partisan Races:

-During non-election years, require ongoing reports four times per year (quarterly)

-During election years, require two ongoing reports within the first 6 months (first two quarters); keep the current pre-primary and pre-general reports with the addition of an extra report on the 4<sup>th</sup> Tuesday in September.

Non-partisan races:

-Keep current pre-primary and pre-election reporting scheme, but increase the frequency of ongoing reports from two per year to four times per year

8. **Specifically require that conduit reports include beginning and ending fund balances**

9. **Increase disclosure by agency employees (Copy from 1763/P4)**

Currently, agency employees must only report their time spent lobbying and the general area of legislative action they attempted to influence. The law should be changed to require agency employees to publicly specify the individual bills they have lobbied on.

10. **Ethics training for lobbyists and legislators (Copy from 1763/P4)**

Require four <sup>hours</sup> credits of ethics training every two years.

*allow  
opt out  
paper*

11. **Allow for online-only filing of campaign finance reports**

*electronic signature issue  
(or just send all required  
stuff?)*

12. **Add procurement activity to the list of activities subject to registration and reporting requirements under ch. 13**

*but at least draft*

13. **Discussion Item: Make it simpler for federal PACs to register as state PACs**

*- being asked to give over the full down  
list to register at state post*

*-- ask GAO (or Jell)*

## CONTRIBUTION LIMITS

### PARTISAN STATE OFFICES

THESE LIMITS APPLY TO ALL CANDIDATES AND PERSONAL CAMPAIGN COMMITTEES. Contribution limitations apply cumulatively to the entire primary and election campaign in which the candidate participates, whether or not there is a contested primary election.

*indexed to inflation*

Office	Individual Contribution Limit	Single Committee Contribution Limit (1)	45% LIMIT		65% LIMIT	
			Total Contributions From All Committees Except Political Party Committees (2)	Total Contributions From All Committees Including Political Party Committees (3)		
GOVERNOR	\$10,000	\$43,128	\$485,190	971,000	\$700,830	432,000
LT. GOVERNOR	10,000	12,939	145,564	292,000	210,259	130,000
ATTY. GENERAL	10,000	21,560	242,550	486,000	350,350	108,000
STATE TREASURER	10,000	8,625	97,031	195,000	140,156	87,000
SECRETARY OF STATE	10,000	8,625	97,031	195,000	140,156	87,000
SUPERINTENDENT OF PUBLIC INSTRUCTION	10,000	8,625	97,031	195,000	140,156	87,000
DISTRICT ATTORNEY - Milwaukee County	3,000	3,000	72,776	146,000	105,121	65,000
Dane & Waukesha Counties	3,000	3,000	38,813	78,000	56,063	35,000
All Other Counties	1,000	1,000	38,813	78,000	56,063	35,000
STATE SENATE	1,000	1,000	15,525	31,000	22,425	14,000
STATE ASSEMBLY	500	500	7,763	16,000	11,213	7,000

- (1) This is the maximum amount a candidate may receive from a single PAC or another candidate's committee per campaign.
- (2) This is the maximum amount a candidate may receive from all PAC's and candidate committees per campaign. Wisconsin Election Campaign Fund grants also count against this limit.
- (3) This is the maximum amount a candidate may receive from all committees including political party and legislative campaign committees. *Note:* The maximum a party or legislative campaign committee can give without reducing committee contributions is \$6,900 for senate candidates and \$3,450 for assembly candidates. ←
- (4) Corporations can not make contributions to candidate committees.

Note: In addition to the above campaign period limits, an individual may not contribute more than \$10,000 each calendar year to any combination of Wisconsin candidates or political committees. (s. 11.26(4)Wis.Stats)

PAC to PAC is unlimited.  
Party to PAC is unlimited.

PAC to Party Limit is \$6,000 per calendar year (s. 11.26(8)(c)Wis.Stats)  
Party to Party is unlimited.



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-24367  
JTK/JK/TKK:.....

PI  
JGF  
RM not R

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

in 5-23-13

D-N

NOW

Gen

1 AN ACT relating to various changes in the campaign finance, election, and  
2 lobbying regulation laws.

**Analysis by the Legislative Reference Bureau**

This bill makes the following changes to the campaign finance, election, and lobbying regulation laws: CAMPAIGN FINANCE <sup>ⓑ</sup>

**Expenditures made to solicit contributions to a segregated fund**

Current law permits any corporation, including a foreign corporation and a limited liability company, cooperative, or association, to establish, administer, and solicit contributions to a separate segregated fund set up by the corporation, cooperative, or association for the purpose of supporting or opposing a candidate for state or local office. Although current law prohibits the corporation, association, or cooperative from making a contribution to the segregated fund, the corporation, cooperative, or association may expend up to \$500 annually for the purpose of soliciting contributions. Under this bill, the amount that a corporation, association, or cooperative may annually expend to solicit contributions to the segregated fund is the greater of \$20,000 or 20 percent of the amount of contributions in the previous year to a segregated fund.

Insert A

**Contribution limits**

Under current law, the limits for contributions by an individual or committee, other than a political party or legislative campaign committee, to a candidate's campaign are as follows:

1. For candidates for governor, lieutenant governor, secretary of state, state treasurer, attorney general, state superintendent, or justice, \$10,000, except that a

committee may contribute up to 4 percent of the disbursement level established under current law.

2. For candidates for state senator, \$1,000. ✓
3. For candidates for state assembly representative, \$500.
4. For candidates for circuit judge in circuits having a population of more than 300,000, or candidates for district attorney in prosecutorial units having a population of more than 300,000, \$3,000.
5. For candidates for circuit judge in other circuits or candidates for district attorney in other prosecutorial units, \$1,000.

This bill doubles the limits for contributions by an individual or committee to candidates for governor, lieutenant governor, secretary of state, state treasurer, attorney general, state superintendent, justice, state senator, state assembly representative, circuit judge, and district attorney.

Under current law, the total amount that an individual may contribute annually to all candidates for state and local offices, and to persons who are required to register for campaign financing purposes, is \$10,000. The bill eliminates this limitation.

Under current law, a political party may not receive more than \$150,000 in value of its contributions in any biennium from committees, other than political party or legislative campaign committees. The bill increases that amount to \$300,000.

Under current law, a political party may not receive more than \$6,000 in value of its contributions annually from any specific committee, excluding a political party or legislative campaign committee. The bill increases that amount to \$12,000.

The bill also increases the total value of contributions that a committee, other than a political party or legislative campaign committee, may make to a political party from \$6,000 each year to \$12,000 each year.

Under current law, no individual who is a candidate for state or local office may receive in contributions more than 65 percent of the value of the total disbursement level for the office for which he or she is a candidate during any primary and election campaign combined from all committees, including political party and legislative campaign committees. In addition, no individual who is a candidate for state or local office may receive in contributions more than 45 percent of the value of the total disbursement level for the office for which he or she is a candidate during any primary and election campaign combined from all committees other than political party and legislative campaign committees. Consequently, the amount of the contributions that a candidate may receive from political party or legislative campaign committees is determined by subtracting the amount that represents 45 percent of the value of the total disbursement level from the amount that represents 65 percent of the disbursement level. The disbursement levels under current law do not restrict the total amount of disbursements that may be made by any candidate in any election, but are used only to calculate certain contribution limits.

This bill eliminates the disbursement levels and specifies the contribution limits for contributions from committees for state and local offices based on the 65 percent/45 percent formula under current law. In addition, the bill doubles the

contribution limits from committees for candidates for governor, lieutenant governor, secretary of state, state treasurer, attorney general, state superintendent, justice, state senator, state assembly representative, circuit judge, and district attorney.

Finally, the bill provides that, beginning on July 1, 2015, and every two years thereafter, the Government Accountability Board (GAB) will modify the contribution limits under the campaign finance laws to adjust for the change in the consumer price index for the preceding two-year period ending on December 31.

Insert B

**Electronic filing**

Under current law, GAB must require each registrant for whom GAB serves as a filing officer under the campaign finance laws and who or which accepts contributions of \$20,000 or more during a campaign period to file campaign finance reports electronically. In addition, GAB must accept campaign finance reports electronically from any other registrant for whom GAB serves as a filing officer. Current law requires GAB to specify, by rule, software that is suitable for complying with the electronic filing requirement and must provide the software to registrants at a price not to exceed its cost. Any registrant who or which files reports electronically with GAB must also submit a copy of the report to GAB and the copy must be signed by an authorized individual.

Under the bill, the software that GAB specifies for electronic filing must allow a registrant to provide an electronic signature that is subject to a security procedure. The bill also eliminates the requirement that a registrant who or which files a report electronically must file a copy with GAB. A registrant who or which files a report electronically may, however, file with GAB that portion of the report signed by an authorized individual rather than submit the electronic signature of that individual.

Insert C

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

Insert 3-1A, B, C & D

**SECTION 1.** 11.21 (16) of the statutes is amended to read:

- 2           11.21 (16) Require each registrant for whom the board serves as filing officer
- 3           and who or which accepts contributions in a total amount or value of \$20,000 or more
- 4           during a campaign period to file each campaign finance report that is required to be
- 5           filed under this chapter in an electronic format, and accept from any other registrant
- 6           for whom the board serves as a filing officer any campaign finance report that is
- 7           required to be filed under this chapter in an electronic format. A registrant who or
- 8           which becomes subject to a requirement to file reports in an electronic format under

1 this subsection shall initially file the registrant's report in an electronic format for  
2 the period which includes the date on which the registrant becomes subject to the  
3 requirement. To facilitate implementation of this subsection, the board shall specify,  
4 by rule, a type of software that is suitable for compliance with the electronic filing  
5 requirement under this subsection. The software shall allow a registrant to provide  
6 an electronic signature, as defined in s. 137.11 (8), that is subject to a security  
7 procedure, as defined in s. 137.11 (13). The board shall provide copies of the software  
8 to registrants at a price fixed by the board that may not exceed cost. ~~Each registrant~~  
9 ~~who or which files a report under this subsection in an electronic format shall also~~  
10 ~~file a copy of the report with the board that is recorded on a medium specified by the~~  
11 ~~board. The copy shall be signed by an authorized individual and filed with the board~~  
12 ~~by each registrant no later than the time prescribed for filing of the report under this~~  
13 ~~chapter. A registrant who or which files a report under this subsection in an~~  
14 ~~electronic format may file with the board that portion of the report signed by an~~  
15 ~~authorized individual rather than submit the electronic signature of that individual.~~  
16 The board shall provide complete instructions to any registrant who or which files  
17 a report under this subsection. In this subsection, the "campaign period" of a  
18 candidate, personal campaign committee or support committee begins and ends with  
19 the "campaign" of the candidate whose candidacy is supported, as defined in s. 11.26  
20 (17), and the "campaign period" of any other registrant begins on January 1 of each  
21 odd-numbered year and ends on December 31 of the following year.

History: 1973 c. 334; 1975 c. 93 ss. 73 to 78, 119 (2); 1977 c. 107; 1979 c. 260, 328; 1981 c. 390 s. 252; 1983 a. 27, 538; 1985 a. 303; 1987 a. 370; 1989 a. 192; 1997 a. 230; 2001 a. 109; 2005 a. 177; 2007 a. 1; 2011 a. 32.

22 **SECTION 2.** 11.26 (1) (a) of the statutes is amended to read:

1 11.26 (1) (a) Candidates for governor, lieutenant governor, secretary of state,  
2 state treasurer, attorney general, state superintendent, or justice, ~~\$10,000~~ <sup>✓</sup> \$20,000.

**History:** 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

3 **SECTION 3.** 11.26 (1) (b) of the statutes is amended to read:

4 11.26 (1) (b) Candidates for state senator, ~~\$1,000~~ <sup>✓</sup> \$2,000.

**History:** 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

5 **SECTION 4.** 11.26 (1) (c) of the statutes is amended to read:

6 11.26 (1) (c) Candidates for representative to the assembly, ~~\$500~~ <sup>✓</sup> \$1,000.

**History:** 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

7 **SECTION 5.** 11.26 (1) (cn) of the statutes is amended to read:

8 11.26 (1) (cn) Candidates for circuit judge in circuits having a population of  
9 more than 300,000, or candidates for district attorney in prosecutorial units having  
10 a population of more than 300,000, ~~\$3,000~~ <sup>✓</sup> \$6,000.

**History:** 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

11 **SECTION 6.** 11.26 (1) (cw) of the statutes is amended to read:

12 11.26 (1) (cw) Candidates for circuit judge in other circuits or candidates for  
13 district attorney in other prosecutorial units, ~~\$1,000~~ <sup>✓</sup> \$2,000.

**History:** 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

14 **SECTION 7.** 11.26 (2) (a) of the statutes is amended to read:

15 11.26 (2) (a) Candidates for governor, ~~lieutenant governor, secretary of state,~~  
16 ~~state treasurer, attorney general, state superintendent, or justice,~~ 4 percent of the  
17 ~~value of the disbursement level specified in the schedule under s. 11.31 (1),~~ \$87,000.

**History:** 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

18 **SECTION 8.** 11.26 (2) (ab) of the statutes is created to read:

19 11.26 (2) (ab) Candidates for lieutenant governor, \$26,000.

20 **SECTION 9.** 11.26 (2) (ac) of the statutes is created to read:

1 11.26 (2) (ac) Candidates for attorney general, \$44,000.

2 SECTION 10. 11.26 (2) (ad) of the statutes is created to read:

3 11.26 (2) (ad) Candidates for secretary of state, state treasurer, state  
4 superintendent, or justice, \$18,000.

5 SECTION 11. 11.26 (2) (b) of the statutes is amended to read:

6 11.26 (2) (b) Candidates for state senator, ~~\$1,000~~ \$2,000.

History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

7 SECTION 12. 11.26 (2) (c) of the statutes is amended to read:

8 11.26 (2) (c) Candidates for representative to the assembly, ~~\$500~~ \$1,000.

History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

9 SECTION 13. 11.26 (2) (cn) of the statutes is amended to read:

10 11.26 (2) (cn) Candidates for circuit judge in circuits having a population of  
11 more than 300,000, ~~\$3,000~~ or candidates for district attorney in prosecutorial units  
12 having a population of more than 300,000, ~~\$3,000~~ \$6,000.

History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

13 SECTION 14. 11.26 (2) (cw) of the statutes is amended to read:

14 11.26 (2) (cw) Candidates for circuit judge in other circuits, ~~\$1,000~~ or  
15 candidates for district attorney in other prosecutorial units, ~~\$1,000~~ \$2,000.

History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

16 SECTION 15. 11.26 (4) of the statutes is repealed.

SECTION 16. 11.26 (8) (a) of the statutes is amended to read:

*insert*  
*6/16*

17 11.26 (8) (a) No political party as defined in s. 5.02 (13) may receive more than  
18 a total of ~~\$150,000~~ \$300,000 in value of its contributions in any biennium from all  
19 other committees, excluding contributions from legislative campaign committees  
20 and transfers between party committees of the party. In this paragraph, a biennium  
21

1 commences with January 1 of each odd-numbered year and ends with December 31  
2 of each even-numbered year.

**History:** 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

3 **SECTION 17.** 11.26 (8) (b) of the statutes is amended to read:

4 11.26 (8) (b) No such political party may receive more than a total of \$6,000  
5 \$12,000 in value of its contributions in any calendar year from any specific committee  
6 or its subunits or affiliates, excluding legislative campaign and political party  
7 committees.

**History:** 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

8 **SECTION 18.** 11.26 (8) (c) of the statutes is amended to read:

9 11.26 (8) (c) No committee, other than a political party or legislative campaign  
10 committee, may make any contribution or contributions, directly or indirectly, to a  
11 political party under s. 5.02 (13) in a calendar year exceeding a total value of \$6,000  
12 \$12,000.

**History:** 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

13 **SECTION 19.** 11.26 (9) (a) of the statutes is renumbered 11.26 (9) (a) (intro.) and  
14 amended to read: (intro.)

15 11.26 (9) (a) No individual who is a candidate for state or local office may receive  
16 and accept more than ~~65 percent of the value of the total disbursement level~~  
17 ~~determined under s. 11.31 the following amounts~~ for the office for which he or she is  
18 a candidate during any primary and election campaign combined from all  
19 committees ~~subject to a filing requirement, including political party and legislative~~  
20 committees. subject to a filing requirement:

**History:** 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

21 **SECTION 20.** 11.26 (9) (a) 1. to 12. of the statutes are created to read:

- 1           11.26 (9) (a) 1. Candidates for governor, \$432,000.
- 2           2. Candidates for lieutenant governor, \$130,000.
- 3           3. Candidates for attorney general, \$108,000.
- 4           4. Candidates for secretary of state, state treasurer, state superintendent, or
- 5 justice, \$87,000.
- 6           5. Candidates for court of appeals judge, \$35,000.
- 7           6. Candidates for state senator, \$14,000.
- 8           7. Candidates for representative to the assembly, \$7,000.
- 9           8. Candidates for circuit judge, \$35,000.
- 10          9. Candidates for district attorney in any prosecutorial unit with a population
- 11 of 500,000 or less, \$35,000.
- 12          10. In any jurisdiction or district, other than a judicial district or circuit, with
- 13 a population of 500,000 or more according to the most recent federal census covering
- 14 the entire jurisdiction or district, for the following countywide offices:
- 15           a. Candidates for county executive, \$54,000.
- 16           b. Candidates for district attorney, \$67,000.
- 17           c. Candidates for county supervisor, \$4,000.
- 18           d. Candidates for any other countywide elective office, not including candidates
- 19 specified under subd. 5. or 8., \$22,000.
- 20          11. In any jurisdiction or district, other than a judicial district or circuit, with
- 21 a population of 500,000 or more according to the most recent federal census covering
- 22 the entire jurisdiction or district, for the following offices in cities of the 1st class:
- 23           a. Candidates for mayor, \$54,000.
- 24           b. Candidates for city attorney, \$34,000.
- 25           c. Candidates for any other city-wide elective office, \$22,000.

1 d. Candidates for alderperson, \$4,000.

2 12. Candidates for any local office, who are elected from a jurisdiction or district  
3 with less than 500,000 inhabitants according to the latest federal census or census  
4 information on which the district is based, as certified by the appropriate filing  
5 officer, an amount equal to the greater of the following:

6 a. Two hundred dollars.

7 b. Eleven percent of the annual salary for the office sought, rounded to the  
8 nearest multiple of \$25.

9 c. Six cents per inhabitant of the jurisdiction or district, not to exceed \$9000.

10 ~~SECTION 21. 11.26 (9) (b) of the statutes is amended to read:~~

11 SECTION 22. 11.26 (9) (b) of the statutes is renumbered 11.26 (9) (b) (intro.) and  
12 amended to read:

13 11.26 (9) (b) (intro.) No individual who is a candidate for state or local office  
14 may receive and accept more than 45 percent of the value of the total disbursement  
15 level determined under s. 11.31 the following amounts for the office for which he or  
16 she is a candidate during any primary and election campaign combined from all  
17 committees other than political party and legislative campaign committees subject  
18 to a filing requirement.

History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

19 SECTION 23. 11.26 (9) (b) 1. to 12. of the statutes are created to read:

20 11.26 (9) (b) 1. Candidates for governor, \$971,000.

21 2. Candidates for lieutenant governor, \$292,000.

22 3. Candidates for attorney general, \$486,000.

23 4. Candidates for secretary of state, state treasurer, state superintendent, or  
24 justice, \$195,000.

- 1           5. Candidates for court of appeals judge, \$78,000.
- 2           6. Candidates for state senator, \$31,000.
- 3           7. Candidates for representative to the assembly, \$16,000.
- 4           8. Candidates for circuit judge, \$78,000.
- 5           9. Candidates for district attorney in any prosecutorial unit with a population
- 6 of 500,000 or less, \$78,000.
- 7           10. In any jurisdiction or district, other than a judicial district or circuit, with
- 8 a population of 500,000 or more according to the most recent federal census covering
- 9 the entire jurisdiction or district, for the following countywide offices:
- 10           a. Candidates for county executive, \$122,000.
- 11           b. Candidates for district attorney, \$146,000.
- 12           c. Candidates for county supervisor, \$8,000.
- 13           d. Candidates for any other countywide elective office, not including candidates
- 14 specified under subd. 5. or 8., \$49,000.
- 15           11. In any jurisdiction or district, other than a judicial district or circuit, with
- 16 a population of 500,000 or more according to the most recent federal census covering
- 17 the entire jurisdiction or district, for the following offices in cities of the 1st class:
- 18           a. Candidates for mayor, \$122,000.
- 19           b. Candidates for city attorney, \$73,000.
- 20           c. Candidates for any other city-wide elective office, \$49,000.
- 21           d. Candidates for alderperson, \$8,000.
- 22           12. Candidates for any local office, who are elected from a jurisdiction or district
- 23 with less than 500,000 inhabitants according to the latest federal census or census
- 24 information on which the district is based, as certified by the appropriate filing
- 25 officer, an amount equal to the greater of the following:

- 1 a. Five hundred dollars.
- 2 b. Twenty-four percent of the annual salary for the office sought, rounded to
- 3 the nearest multiple of \$25.
- 4 c. Fifteen cents per inhabitant of the jurisdiction or district, not to exceed
- 5 \$20,000.

**SECTION 24.** 11.26 (18) of the statutes is created to read:

7 11.26 (18) Beginning on July 1, 2015, and every 2 years thereafter, the board  
 8 shall modify the dollar amounts under subs. (1), (2), (8), and (9), rounded to the  
 9 nearest multiple of \$25, to adjust for the change in the consumer price index, all  
 10 items, U.S. city average, published by the U.S. <sup>Federal</sup> department of labor for the preceding  
 11 2-year period ending on December 31.

**SECTION 25.** 11.31 of the statutes is repealed.

**SECTION 26.** 11.38 (1) (a) 3. of the statutes is amended to read:

14 11.38 (1) (a) 3. No corporation or association specified in subd. 1. may annually  
 15 ~~expend more than a combined total of \$500 annually~~ for solicitation of contributions  
 16 to a fund established under subd. 2. or to a conduit more than the greater of \$20,000  
 17 or 20 percent of the amount of contributions in the previous year to the <sup>the</sup> a fund  
 18 established under subd. 2. or to a conduit.

History: 1973 c. 334; 1975 c. 93; 1977 c. 427; 1979 c. 328; 1985 a. 303 ss. 71, 72, 86; 1987 a. 370; 1991 a. 316; 2001 a. 109; 2005 a. 177, 441; 2007 a. 1; 2009 a. 313.

**SECTION 27. Effective date.**

20 (1) The treatment of section 11.21 (16) of the statutes takes effect on the first  
 21 day of the 6th month beginning after publication.

(END)

*insert 11-11*

*insert 11-12*

*insert 11-18  
A, B, C, D, E, F*

2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-24367ins  
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1

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**Campaign finance reporting**

Generally, under current law, registrants participating in a primary or election must file preprimary or preelection reports. Preprimary and preelection reports must be received by a filing officer no earlier than 14 days and no later than ~~8~~ <sup>eight</sup> days before the primary and election. Specifically, under current law: 1) a candidate or personal campaign committee of a candidate at a primary must file preprimary and preelection reports; 2) a candidate or personal campaign committee of a candidate at an election must file a preelection report; 3) a registered committee or individual other than a candidate or personal campaign committee making or accepting contributions or disbursements in support of or in opposition to a candidate at a primary or to a committee or individual engaging in such activities must file a preprimary and preelection report; 4) a registered committee or individual other than a candidate or personal campaign committee making or accepting contributions or disbursements in support of or in opposition to a candidate at an election or to a committee or individual engaging in such activities must file a preelection report; 5) a registered group or individual making or accepting contributions or making distributions in support of or in opposition to a referendum appearing on a primary ballot must file a preprimary and preelection report; and 6) a registered group or individual making or accepting contributions or making distributions in support of or in opposition to a referendum appearing on an election ballot must file a preelection report.

The bill retains the preprimary and preelection reporting requirements.

The bill requires registrants participating in a spring primary or spring election to, annually, file reports on the seventh day of the month in the months of January, April, July, and October.

The bill requires those registrants participating in a partisan primary or general election to file reports on the seventh day of the month in the months of January, April, July, and October in an odd-numbered (non-election) year and, in an even-numbered (election) year, on the seventh day of the month in the months of ~~January and April~~ <sup>and July</sup> and on the fourth ~~Thursday~~ <sup>Tuesday</sup> of September.

Currently, individuals and committees supporting or opposing candidates for office, and individuals, groups, and corporations supporting or opposing a referendum, must submit reports of contributions received, contributions or disbursements made, and obligations incurred to the appropriate filing officer twice each year: on or after January 1 but no later than January 31; and on or after July 1 but no later than July 20. This bill changes the reporting requirement as follows: 1) individuals and committees supporting or opposing candidates in a spring primary or election and individuals, groups, and corporations supporting or opposing a referendum appearing on a spring ballot must file reports on the seventh day of the month in the months of January, April, July, and October; 2) individuals and

committees supporting or opposing candidates in a partisan primary or general election and individuals, groups, and corporations supporting or opposing a referendum appearing on a general election ballot must, in an odd-numbered (nonelection) year, file reports on the seventh day of the month in the months of January, April, July, and October and, in an even-numbered (election) year, file reports on the seventh day of the month in the months of January and April and on the fourth Thursday of September.

**Conduits; campaign finance reporting**

Current law defines a conduit as an individual or organization that receives a contribution of money and transfers the contribution to another individual or organization without exercising discretion as to either the amount transferred or the individual to whom or organization to which the transfer is made. A transfer of money from a conduit is considered to be a transfer of money from the individual or organization that made the contribution to the conduit. Current law requires conduits to register with the GAB; as a registrant, current law also requires a conduit to make financial reports related to contributions and distributions made or received by the conduit. Generally, financial reports must include an itemized statement giving the date, full name and street address of certain contributors, together with the amount of the contribution and the cumulative total contributions made by that contributor for the calendar year; the occupation and name and address of the principal place of employment, if any, of certain individual contributors; cumulative totals for the calendar year of contributions received by the registrant, and disbursements made, including transfers of funds made to or received from other registrants; and a statement of the registrant's cash balance on hand at the beginning and end of the reporting period.

This bill modifies the reporting requirements for conduits to conform with current GAB practice. Current GAB practice requires conduits to file, at each required reporting period, a summary report listing the date of the transfer of money, the complete name and address of each transferee, the total amount transferred to each transferee within the reporting period, and the total amount transferred during the calendar year. Current GAB practice also requires conduits to submit, along with the summary report, a copy of documentation submitted to each transferee. The documentation must: a) clearly identify that the contribution is from a conduit; b) identify the name and address of the transferee to whom contributions are transferred, the date the transfer was made, and the total amount transferred; c) provide the complete name and home address of each individual contributor and the amount of his or her contributions, regardless of the amount; and d) under certain circumstances, identify the contributor's occupation and the complete name and address of the contributor's principal place of employment.

The bill also requires conduits to report the beginning and ending balances of cash on hand for each reporting period.

**Conduits; redirection of certain unclaimed contributions**

The bill allows a conduit to redirect contributions made to the conduit but unclaimed for a period of two years to a committee, other than a personal campaign committee, a support committee, a political party, or a legislative campaign

Tuesday and July  
X  
1)  
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committee, that sponsors the conduit if there is such a committee or, if there is not such a committee, to the conduit's administrative fund. Prior to redirecting the unclaimed contribution, the conduit must make at least <sup>ten</sup> 10 good faith attempts to contact the contributor over the two-year period without success. The conduit may attempt to contact the contributor by U.S. mail, by electronic mail, or by telephone. The required attempts to contact the contributor may not all occur within one 30-day period. The bill requires the conduit to identify the sponsor on the conduit's registration form and to include on the conduit's financial report when a contribution is redirected as provided in the bill.

**LOBBYING**

***Reporting of attempts to influence legislative action by state agencies***

Current law requires employees and officers of state agencies who attempt to influence legislative action to biennially file a statement that identifies the name of the agency; the name, title, and salary paid to the employee or officer; the amount of time spent on the activity; and the general area of legislative action the employee or officer has attempted to influence. For purposes of this requirement, the statutes define "agency" to mean "any board, commission, department, office, society, institution of higher education, council, or committee in the state government" and certain authorities created under state law, except that "agency" does not include a council or committee of the legislature. This bill requires the officer or employee to report the number of each introduced bill on which the officer or employee attempts to influence legislative action.

Insert from  
LB-1154

**ETHICS**

***Ethics training for lobbyists and legislators***

Currently, the GAB administers programs to explain the laws that regulate lobbying and prescribe codes of ethics for state public and elected officials. These programs are offered to state public officials, elective public officials, and candidates for public office, among others. This bill requires any person seeking a license to practice as a lobbyist to complete four hours of ethics training administered by the GAB within the 24 months preceding the individual's application to practice as a lobbyist. The bill also requires each member of the legislature to complete 4 hours of ethics training administered by the GAB prior to taking the oath of legislative office.

End Insert  
C

- 1            **SECTION 1.** 11.05 (3) (q) of the statutes is created to read:
- 2            11.05 (3) (q) In the case of a conduit, the name and mailing address of a sponsor,
- 3            as defined in s. 11.185 (1), to which contributions may be redirected as provided
- 4            under s. 11.185.
- 5            **SECTION 2.** 11.06 (1) (intro.) of the statutes is amended to read:

Begin  
Insert  
3-1B

continue 3-1B

(1)(g)

1

11.06 (1) CONTENTS OF REPORT. (intro.) Except as provided in subs. (1g), (2), (3),  
 2 and (3m) and ss. 11.05 (2r) and 11.19 (2), each registrant under s. 11.05 shall make  
 3 full reports, upon a form prescribed by the board and signed by the appropriate  
 4 individual under sub. (5), of all contributions received, contributions or  
 5 disbursements made, and obligations incurred. Each Except for a report required  
 6 under sub. (11), each report shall contain the following information, covering the  
 7 period since the last date covered on the previous report, unless otherwise provided:

History: 1973 c. 334; 1975 c. 93 ss. 47 to 53, 119 (2); 1975 c. 199; 1979 c. 263, 328; 1985 a. 303; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 2001 a. 109; 2005 a. 176, 177; 2011 a. 32, 75.

8 SECTION 3. 11.06 (11) (a) of the statutes is amended to read:

9 11.06 (11) (a) A conduit transferring a contribution of money shall, in writing,  
 10 identify itself to the transferee as a conduit and report to the transferee of each  
 11 contribution transferred by it the information about the original contributor  
 12 required for reporting purposes under sub. (1) (a) and (b) at the time the contribution  
 13 is transferred. ~~The conduit shall include the information in its report under s. 11.12~~  
 14 ~~(5) or 11.20 for the date on which the contribution is received and transferred.~~

History: 1973 c. 334; 1975 c. 93 ss. 47 to 53, 119 (2); 1975 c. 199; 1979 c. 263, 328; 1985 a. 303; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 2001 a. 109; 2005 a. 176, 177; 2011 a. 32, 75.

15 SECTION 4. 11.06 (11) (d) of the statutes is created to read:

16 11.06 (11) (d) A conduit shall include in each report under s. 11.12 (5) or 11.20  
 17 all of the following:

18 1. The information specified in par. (a) for the date on which each contribution  
 19 is received and transferred.

20 2. A statement of the cash balance on hand at the beginning and end of the  
 21 reporting period.

22 3. Whether, during the reporting period, any contribution was redirected to a  
 23 sponsor as permitted under s. 11.185.

End 3-LB

Begin 3-1D

1           **SECTION 5.** 11.12 (6) of the statutes is amended to read:

2           11.12 (6) If any disbursement of more than \$20 cumulatively is made to  
3 advocate the election or defeat of a clearly identified candidate by an individual or  
4 committee later than 15 days prior to a primary or election in which the candidate's  
5 name appears on the ballot without cooperation or consultation with a candidate or  
6 agent or authorized committee of a candidate who is supported or opposed, and not  
7 in concert with or at the request or suggestion of such a candidate, agent or  
8 committee, but such that the disbursement is not included in a preprimary or  
9 preelection report submitted under s. 11.20 (3), the individual or treasurer of the  
10 committee shall, within 24 hours of making the disbursement, inform the  
11 appropriate filing officer of the information required under s. 11.06 (1) in such  
12 manner as the board may prescribe. The information shall also be included in the  
13 next regular report of the individual or committee under s. 11.20. For purposes of  
14 this subsection, disbursements cumulate beginning with the day after the last date  
15 covered on the preprimary or preelection report and ending with the day before the  
16 primary or election. Upon receipt of a report under this subsection, the filing officer  
17 shall, within 24 hours of receipt, mail a copy of the report to all candidates for any  
18 office in support of or opposition to one of whom a disbursement identified in the  
19 report is made.

History: 1973 c. 334; 1975 c. 93 ss. 59, 60, 119 (2); 1975 c. 199; 1979 c. 328 ss. 53, 69 to 71, 146; 1985 a. 303; 1987 a. 370; 2001 a. 109; 2005 a. 176, 177; 2009 a. 89; 2011 a. 32.

20           **SECTION 6.** 11.185 of the statutes is created to read:

21           **11.185 Redirection of contributions made to conduits.** (1) In this  
22 section, "sponsor" means a committee, other than a personal campaign committee,  
23 support committee, political party, or legislative campaign committee, that is  
24 associated with a conduit.

Continue 3-1D

continue 3-1D

1 (2) A conduit may redirect any contribution received from an individual or  
2 organization to a sponsor or, if there is no sponsor, to an administrative fund of the  
3 conduit if all of the following apply:

4 (a) The conduit has held the contribution for at least 24 months over which time  
5 the individual or organization that made the contribution has made no contact with  
6 the conduit.

7 (b) The conduit has, over the 24<sup>✓</sup> month period described in par. (a), attempted  
8 in good faith to contact the individual or organization that made the contribution at  
9 least 10 times, and has documented each such attempt, but has been unable to make  
10 contact with the individual or organization. A conduit may satisfy the requirement  
11 to contact the individual or organization by telephoning the individual or  
12 organization at the last<sup>✓</sup> known<sup>file</sup> phone number; by sending a letter or postcard to the  
13 individual or organization by U.S. mail; by sending a message by electronic mail; or  
14 by any combination of the foregoing. A conduit may not satisfy the requirement to  
15 attempt in good faith to contact the individual or organization at least 10 times if all  
16 10 attempted contacts occur within a period of 30 consecutive days.

\*\*\*NOTE: Does this section, including the definition for "sponsor," accomplish your  
intent? Do you want to require the conduit to submit the documentation with the  
statement on which the conduit reports the redirected contribution?

INSERT 47-5 (TKK)

17 SECTION 7. 11.20 (1m) of the statutes is created to read:

18 11.20 (1m) (a) Each registrant required to file reports under this paragraph  
19 shall, annually, file reports on the 7<sup>✓</sup>th day of the month in the months of January,  
20 April, July, and October.

21 (b) Each registrant required to file reports under this paragraph shall file  
22 reports as follows:

continue 3-1D

Continue 3-1D

1 1. In an odd-numbered year, on the 7th day of the month in the months of  
2 January, April, July, and October.

3 2. In an even-numbered year, on the 7th day of the month in the months of April  
4 and July and on the 4th Tuesday in September.

\*\*\*\*NOTE: Reports required in connection with spring primaries and elections are under par. (a); reports required in connection with partisan primaries and general elections are under par. (b). Please confirm that these reporting dates are as you intended.

5 **SECTION 8.** 11.20 (3) (a) of the statutes is renumbered 11.20 (3) (a) 1. and  
6 amended to read:

7 11.20 (3) (a) 1. A candidate or personal campaign committee of a candidate at  
8 a spring primary shall file a preprimary and preelection report and the periodic  
9 reports specified in sub. (1m) (a). If a candidate for a nonpartisan state office at an  
10 election is not required to participate in a spring primary, the candidate or personal  
11 campaign committee of the candidate shall file a preprimary report at the time  
12 prescribed in sub. (2) preceding the date specified in s. 5.02 (20) or (22) for the holding  
13 of the primary, were it to be required.

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328 ss. 58, 82 to 92, 146; 1981 c. 314 s. 146; 1983 a. 183, 491, 538; 1985 a. 303 ss. 32m to 37, 88; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 1997 a. 27; 2001 a. 103, 109; 2003 a. 321; 2005 a. 177.

14 **SECTION 9.** 11.20 (3) (a) 2. of the statutes is created to read:

15 11.20 (3) (a) 2. A candidate or personal campaign committee of a candidate at  
16 a partisan primary shall file a preprimary and preelection report and the periodic  
17 reports specified in sub. (1m) (b).

18 **SECTION 10.** 11.20 (3) (b) of the statutes is renumbered 11.20 (3) (b) 1. and  
19 amended to read:

Continue 3-1D

continue 3-1D

1           11.20 (3) (b) A candidate or personal campaign committee of a candidate at ~~an~~  
2           a spring election shall file a preelection report and the periodic reports specified in  
3           sub. (1m) (a).

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328 ss. 58, 82 to 92, 146; 1981 c. 314 s. 146; 1983 a. 183, 491, 538; 1985 a. 303 ss. 32m to 37, 88; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 1997 a. 27; 2001 a. 103, 109; 2003 a. 321; 2005 a. 177.

4           **SECTION 11.** 11.20 (3) (b) 2. of the statutes is created to read:

5           11.20 (3) (b) 2. A candidate or personal campaign committee of a candidate at  
6           a general election shall file a preelection report and the periodic reports specified in  
7           sub. (1m) (b).

8           **SECTION 12.** 11.20 (3) (c) of the statutes is ~~renumbered~~ 11.20 (3) (c) 1. and  
9           amended to read:

10           11.20 (3) (c) 1. A registered committee or individual other than a candidate or  
11           personal campaign committee making or accepting contributions, making  
12           disbursements or incurring obligations in support of or in opposition to one or more  
13           candidates for office at a spring primary, or supporting or opposing other committees  
14           or individuals who are engaging in such activities, shall file a preprimary and  
15           preelection report and the periodic reports specified in sub. (1m) (a).

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328 ss. 58, 82 to 92, 146; 1981 c. 314 s. 146; 1983 a. 183, 491, 538; 1985 a. 303 ss. 32m to 37, 88; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 1997 a. 27; 2001 a. 103, 109; 2003 a. 321; 2005 a. 177.

16           **SECTION 13.** 11.20 (3) (c) 2. of the statutes is created to read:

17           11.20 (3) (c) 2. A registered committee or individual other than a candidate or  
18           personal campaign committee making or accepting contributions, making  
19           disbursements or incurring obligations in support of or in opposition to one or more  
20           candidates for office at a partisan primary, or supporting or opposing other  
21           committees or individuals who are engaging in such activities, shall file a preprimary  
22           and preelection report and the periodic reports specified in sub. (1m) (b).

continue 3-1D

CONTINUE 3 - 1D

1           **SECTION 14.** 11.20 (3) (d) of the statutes is renumbered 11.20 (3) (d) 1. and  
2 amended to read:

3           11.20 (3) (d) 1. A registered committee or individual other than a candidate or  
4 personal campaign committee making or accepting contributions, making  
5 disbursements or incurring obligations in support of or in opposition to one or more  
6 candidates for office at ~~an~~ a spring election, or supporting or opposing other  
7 committees or individuals who are engaging in such activities, shall file a preelection  
8 report and the periodic reports specified in sub. (1m) (a).

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328 ss. 58, 82 to 92, 146; 1981 c. 314 s. 146; 1983 a. 183, 491, 538; 1985 a. 303 ss. 32m to 37, 88; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 1997 a. 27; 2001 a. 103, 109; 2003 a. 321; 2005 a. 177.

9           **SECTION 15.** 11.20 (3) (d) 2. of the statutes is created to read:

10           11.20 (3) (d) 2. A registered committee or individual other than a candidate or  
11 personal campaign committee making or accepting contributions, making  
12 disbursements or incurring obligations in support of or in opposition to one or more  
13 candidates for office at a general election, or supporting or opposing other  
14 committees or individuals who are engaging in such activities, shall file a preelection  
15 report and the periodic reports specified in sub. (1m) (b).

16           **SECTION 16.** 11.20 (3) (f) of the statutes is renumbered 11.20 (3) (f) 1. and  
17 amended to read:

18           11.20 (3) (f) 1. A contribution, disbursement, or obligation in support of or in  
19 opposition to a candidate at a spring primary which is made, accepted, or incurred  
20 during the period covered by the preprimary report is considered to be made,  
21 accepted, or incurred in support of or in opposition to that candidate at the primary,  
22 regardless of whether the candidate is opposed at the primary.

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328 ss. 58, 82 to 92, 146; 1981 c. 314 s. 146; 1983 a. 183, 491, 538; 1985 a. 303 ss. 32m to 37, 88; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 1997 a. 27; 2001 a. 103, 109; 2003 a. 321; 2005 a. 177.

23           **SECTION 17.** 11.20 (3) (f) 2. of the statutes is created to read:

CONTINUE 3 - 1D

Continue 3-1D

1           11.20 (3) (f) 2. A contribution, disbursement, or obligation in support of or in  
2           opposition to a candidate at a partisan primary which is made, accepted, or incurred  
3           during the period covered by the preprimary report is considered to be made,  
4           accepted, or incurred in support of or in opposition to that candidate at the primary,  
5           regardless of whether the candidate is opposed at the primary.

6           **SECTION 18.** 11.20 (3) (g) of the statutes is <sup>✓</sup>renumbered 11.20 (3) (g) 1. and  
7           amended to read:

8           11.20 (3) (g) 1. A contribution, disbursement, or obligation in support of or in  
9           opposition to a candidate at ~~an~~ <sup>✓</sup>a spring election which is made, accepted, or incurred  
10          during the period covered by the preelection report is considered to be made,  
11          accepted, or incurred in support of or in opposition to that candidate at the election,  
12          regardless of whether the candidate is opposed at the election.

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328 ss. 58, 82 to 92, 146; 1981 c. 314 s. 146; 1983 a. 183, 491, 538; 1985 a. 303 ss. 32m to 37, 88; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 1997 a. 27; 2001 a. 103, 109; 2003 a. 321; 2005 a. 177.

13          **SECTION 19.** 11.20 (3) (g) 2. of the statutes is created to read:

14          11.20 (3) (g) 2. A contribution, disbursement, or obligation in support of or in  
15          opposition to a candidate at a <sup>✓</sup>general election which is made, accepted, or incurred  
16          during the period covered by the preelection report is considered to be made,  
17          accepted, or incurred in support of or in opposition to that candidate at the election,  
18          regardless of whether the candidate is opposed at the election.

19          **SECTION 20.** 11.20 (3) (h) of the statutes is <sup>✓</sup>renumbered 11.20 (3) (h) 1. and  
20          amended to read:

21          11.20 (3) (h) 1. A registrant who or which makes, accepts, or incurs a  
22          contribution, disbursement, or obligation in support of or in opposition to a candidate  
23          at a <sup>✓</sup>spring primary during the period covered by the preprimary report shall file both

Continue 3-1D

Continue 3-1D

1 the preprimary and preelection reports, regardless of whether the registrant  
2 engages in such activity during the period covered by the preelection report.

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328 ss. 58, 82 to 92, 146; 1981 c. 314 s. 146; 1983 a. 183, 491, 538; 1985 a. 303 ss. 32m to 37, 88; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 1997 a. 27; 2001 a. 103, 109; 2003 a. 321; 2005 a. 177.

3 **SECTION 21.** 11.20 (3) (h) 2. of the statutes is created to read:

4 11.20 (3) (h) 2. A registrant who or which makes, accepts, or incurs a  
5 contribution, disbursement, or obligation in support of or in opposition to a candidate  
6 at a partisan<sup>✓</sup> primary during the period covered by the preprimary report shall file  
7 both the preprimary and preelection reports, regardless of whether the registrant  
8 engages in such activity during the period covered by the preelection report.

9 **SECTION 22.** 11.20 (3) (k) of the statutes is renumbered 11.20 (3) (k) 1. and  
10 amended to read:

11 11.20 (3) (k) 1. A registered group or individual making or accepting  
12 contributions, making disbursements, or incurring obligations in support of or in  
13 opposition to a referendum appearing on a <sup>✓</sup>spring primary ballot shall file a  
14 preprimary and preelection report and the periodic reports specified under sub. (1m)<sup>✓</sup>  
15 (a).

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328 ss. 58, 82 to 92, 146; 1981 c. 314 s. 146; 1983 a. 183, 491, 538; 1985 a. 303 ss. 32m to 37, 88; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 1997 a. 27; 2001 a. 103, 109; 2003 a. 321; 2005 a. 177.

16 **SECTION 23.** 11.20 (3) (k) 2. of the statutes is created to read:

17 11.20 (3) (k) 2. A registered group or individual making or accepting  
18 contributions, making disbursements, or incurring obligations in support of or in  
19 opposition to a referendum appearing on a partisan<sup>✓</sup> primary ballot shall file a  
20 preelection report and the periodic reports specified under sub. (1m)<sup>✓</sup> (b).

21 **SECTION 24.** 11.20 (3) (L) of the statutes is renumbered 11.20 (3) (L) 1. and  
22 amended to read:

Continue 3-1D

Continue 3-1D

1           11.20 (3) (L) 1. A registered group or individual making or accepting  
2 contributions, making disbursements, or incurring obligations in support of or in  
3 opposition to a referendum appearing on ~~an~~ a spring election ballot shall file a  
4 preelection report and the periodic reports specified under sub. (1m) (a).

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328 ss. 58, 82 to 92, 146; 1981 c. 314 s. 146; 1983 a. 183, 491, 538; 1985 a. 303 ss. 32m to 37, 88; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 1997 a. 27; 2001 a. 103, 109; 2003 a. 321; 2005 a. 177.

5           **SECTION 25.** 11.20 (3) (L) 2. of the statutes is created to read:

6           11.20 (3) (L) 2. A registered group or individual making or accepting  
7 contributions, making disbursements, or incurring obligations in support of or in  
8 opposition to a referendum appearing on a general election ballot shall file a  
9 preelection report and the periodic reports specified under sub. (1m) (b).

10           **SECTION 26.** 11.20 (4) of the statutes is ~~renumbered~~ 11.20 (4) (a) and amended  
11 to read:

12           11.20 (4) (a) ~~Continuing reports under s. 11.06 (1) by committees~~ Committees  
13 or individuals supporting or opposing candidates for office at a spring primary or  
14 spring election, including committees of a political party, and ~~by~~ individuals, groups,  
15 or corporations supporting or opposing a referendum appearing on a spring ballot  
16 ~~shall be received by~~ submit continuing reports required under s. 11.06 (1) to the  
17 ~~appropriate filing officer no earlier than January 1 and no later than January 31; and~~  
18 ~~no earlier than July 1 and no later than July 20. Individuals, quarterly on the 7th~~  
19 day of the month in the months of January, April, July, and October.

20           (c) Individuals, committees, groups, and corporations to which s. 11.055 (1)  
21 applies shall pay the fee imposed under that subsection with their continuing reports  
22 filed in January of each year.

23

**SECTION 27.** 11.20 (4) (b) 1. of the statutes is created to read:

cont 3-1D

13  
Cont 3-1D

1 11.20 (4) (b) Committees or individuals supporting or opposing candidates for  
2 office at a partisan primary or general election, including committees of a political  
3 party, and individuals, groups, or corporations supporting or opposing a referendum  
4 appearing on a general election ballot shall submit continuing reports required  
5 under s. 11.06 (1) to the appropriate filing officer as follows:

6 1. In an odd-numbered year, on the 7th day of the month in the months of  
7 January, April, July, and October.

8 2. In an even-numbered year, on the 7th day of the month in April and July and  
9 on the 4th Tuesday in September.

\*\*\*\*NOTE: The drafting instructions did not explicitly reference continuing reports;  
I assumed that you wanted the reporting requirements to match those under sub. (3).  
Is that consistent with your intent?

10 SECTION 28. 11.20 (8) (intro.) and (b) of the statutes are amended to read:

11 11.20 (8) Reports filed under subs. (2), (2m), (3), (4), and (4m) shall include all  
12 contributions received and transactions made as of the end of:

13 (b) ~~December 31~~ The last day of the immediately preceding month in the case  
14 of the continuing ~~report~~ reports required by ~~January 31~~ under sub. (4).

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328 ss. 58, 82 to 92, 146; 1981 c. 314 s. 146; 1983 a. 183, 491, 538; 1985 a. 303 ss. 32m to 37, 88; 1987 a. 370; 1989 a. 192;  
1995 a. 16 s. 2; 1997 a. 27; 2001 a. 103, 109; 2003 a. 321; 2005 a. 177.

15 SECTION 29. 11.20 (8) (c) of the statutes is repealed.

16 SECTION 30. 11.20 (12) of the statutes is amended to read:

17 11.20 (12) If a candidate is unopposed in a primary or election, the obligation  
18 to file the reports required by this chapter does not cease. Except as provided in ss.  
19 11.05 (2r) and 11.19 (2), a registrant who makes or receives no contributions, makes  
20 no disbursements or incurs no obligations shall so report on the dates designated in  
21 subs. (2), (3), and (4).

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328 ss. 58, 82 to 92, 146; 1981 c. 314 s. 146; 1983 a. 183, 491, 538; 1985 a. 303 ss. 32m to 37, 88; 1987 a. 370; 1989 a. 192;  
1995 a. 16 s. 2; 1997 a. 27; 2001 a. 103, 109; 2003 a. 321; 2005 a. 177.

End 3-1D

INS

*Insert A*

***Contributions by corporations or cooperatives for certain purposes***

Currently, corporations and cooperatives are prohibited from making contributions or disbursements (expenditures) generally in connection with campaigns for state or local office. This prohibition specifically includes contributions or disbursements to political parties. This bill creates an exception to the prohibition that permits a corporation or cooperative to make a contribution to a committee that is operated exclusively for the purpose of financing the purchase, lease, or maintenance of space for exclusive use by a political party or legislative campaign committee.

INS

*Insert JTK-A*

**SECTION 1.** 11.05 (3) (c) of the statutes is amended to read:

11.05 (3) (c) In the case of a committee, a statement as to whether the committee is a personal campaign committee, a political party committee, a legislative campaign committee, a support committee or a special interest committee, or a committee that is authorized to receive contributions from a corporation or association under s. 11.38 (1) (a) 1.

History: 1973 c. 334; 1975 c. 93, 199, 200; 1977 c. 427; 1979 c. 328; 1979 c. 355 s. 241; 1981 c. 314 s. 146; 1983 a. 484; 1985 a. 303 ss. 7 to 15r, 86; 1987 a. 370, 391, 403; 1989 a. 192; 2001 a. 109; 2003 a. 321; 2005 a. 177; 2009 a. 313.

INS

*Insert 11-12*

**SECTION 2.** 11.38 (1) (a) 1. of the statutes is amended to read:

11.38 (1) (a) 1. No foreign or domestic corporation, or association organized under ch. 185 or 193, may make any contribution or disbursement, directly or indirectly, either independently or through any political party, committee, group, candidate or individual for any purpose ~~other than~~ except to promote or defeat a referendum and except that such a corporation or association may make a

contribution to a committee that is operated exclusively for the purpose of financing the purchase, lease, or maintenance of space for exclusive use by a political party or legislative campaign committee.



2013 BILL

Insert Analysis from  
LRB-1154

1 **AN ACT to repeal** 16.75 (1) (b) 2., 16.75 (2) (b), 16.75 (2m) (b) 1., 16.75 (2m) (b)  
 2 2., 16.75 (6) (c) and 16.75 (6) (d); **to renumber** 16.75 (2) (a); **to renumber and**  
 3 **amend** 13.62 (1) and 16.75 (2m) (b) 3.; **to consolidate, renumber and amend**  
 4 16.75 (1) (b) 1. and 3.; **to amend** 13.67, 13.75 (5), 16.705 (1r) (intro.), 16.75 (11)  
 5 (b), 19.45 (8) (b) and (c), 59.52 (29) (a), 60.47 (1) (a), 60.47 (2) (a), 60.47 (3), 60.77  
 6 (6) (a), 62.15 (1), 88.62 (1) and 200.47 (2) (a); and **to create** 13.62 (1) (b), 13.62  
 7 (12e), 13.68 (1) (bp) and 19.42 (11s) of the statutes; **relating to:** attempts to  
 8 influence certain governmental entities by former state officers and employees,  
 9 attempts to influence state procurement decisions [REDACTED]  
 10 [REDACTED]

**Analysis by the Legislative Reference Bureau**

Under current law, no former state public official, other than a former legislator or legislative employee, may, for compensation, do any of the following on behalf of any person other than a governmental entity for a period of 12 months following the date on which he or she ceases to be a state public official: 1) make any formal or informal appearance before, or negotiate with, any officer or employee of the agency

Attempts to influence state procurement decisions

Blat.

**BILL**

with which he or she was associated as a state public official within the 12 months prior to the date on which he or she ceased to be a state public official; or 2) make any formal or informal appearance before, or negotiate with, any officer or employee of an agency in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge which might give rise to a judicial or quasi-judicial proceeding which was under the former official's responsibility as a state public official within the 12 months prior to the date on which he or she ceased to be a state public official. Also under current law, no former state public official, other than a former legislator or legislative employee, may, for compensation, act on behalf of any party other than the state in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge that might give rise to a judicial or quasi-judicial proceeding in which the former official participated personally and substantially as a state public official.

Violators are subject to a forfeiture (civil penalty) of not more than \$5,000 for each violation. Intentional violators are guilty of a misdemeanor and are subject to a fine of not less than \$100 nor more than \$5,000 or imprisonment for not more than one year or both for each violation.

This bill adds "proposed procurement" to the matters that a former state public official is prohibited from attempting to influence for compensation under the current restrictions.

Currently, with certain exceptions, a principal that engages a lobbyist to attempt to influence state lawmaking or rulemaking on the principal's behalf must register and file semiannual reports with ~~the Government Accountability Board~~ <sup>GAB</sup> containing specified information. This bill also requires registration and reporting, subject to the same exceptions, by any principal, whether or not currently subject to registration and reporting requirements, that engages a lobbyist to attempt to influence the specifications for or the award of any state procurement contract or order on behalf of the principal. Under the bill, a principal must report any proposed procurement with respect to which the principal attempts to influence administrative action, as well as the principal's reasonable estimate of its time spent in lobbying associated with that procurement.

Violators are subject to a forfeiture of not more than \$5,000 for each violation, except that a principal that fails to report a proposed procurement that the principal is attempting to influence is subject to a forfeiture of not more than \$25 to \$100, depending upon whether the violation constitutes a first or subsequent offense within a three-year period. A principal that files a report that the principal does not believe is true is guilty of a felony and is subject to a fine of not more than \$10,000 or imprisonment for not more than six years or both for each violation.

*End  
TNSA Analysis*

~~Current law generally authorizes the Department of Administration (DOA) to purchase, or delegate the authority to purchase, all necessary materials and contractual services for all state agencies. With some exceptions, DOA must invite bids or proposals to be submitted and orders or contracts must be awarded to the lowest responsible bidder or most competitive proposal. One exception is for purchases for which the estimated cost does not exceed \$50,000; these purchases do not require bids or proposals to be invited. Another exception is when DOA~~

From CRB-1154

Insert 11-18B

1           **SECTION 1.** 13.62 (1) of the statutes is renumbered 13.62 (1) (intro.) and  
2 amended to read:

3           13.62 (1) (intro.) "Administrative action" means ~~the~~ any of the following:

4           (a) The proposal, drafting, development, consideration, promulgation,  
5 amendment, repeal<sup>2</sup> ~~or~~ rejection by any agency of any rule promulgated under ch. 227.

6           **SECTION 2.** 13.62 (1) (b) of the statutes is created to read:

**BILL**

1           13.62 (1) (b) The consideration of specifications for a procurement by or the  
2 award of a procurement contract or order by an agency.

3           **SECTION 3.** 13.62 (12e) of the statutes is created to read:

4           13.62 (12e) "Procurement" has the meaning given in s. 19.42 (11s).

5           **SECTION 4.** 13.67 of the statutes is amended to read:

6           **13.67 Identification of legislative and administrative proposals and**

7 **topics.** (1) Except as authorized under s. 13.621, no person may engage in lobbying  
8 as a lobbyist on behalf of a principal and no principal may authorize a lobbyist to  
9 engage in lobbying on its behalf unless the principal reports to the board, in such  
10 manner as the board may prescribe, each legislative proposal, budget bill subject,  
11 proposed procurement, and proposed administrative rule number in connection with  
12 which the principal has made or intends to make a lobbying communication or, if the  
13 lobbying does not relate to a legislative proposal or proposed administrative rule that  
14 has been numbered or a specific proposed procurement or a budget bill subject, each  
15 topic of a lobbying communication made or intended to be made by the principal. A  
16 principal shall describe any topic of a lobbying communication with reasonable  
17 specificity, sufficient to identify the subject matter of the lobbying communication  
18 and whether the communication is an attempt to influence legislative or  
19 administrative action, or both. The principal shall file the report no later than the  
20 end of the 15th day after the date on which the principal makes a lobbying  
21 communication with respect to a legislative proposal, proposed administrative rule,  
22 proposed procurement, budget bill subject or other topic not previously reported by  
23 the principal under this section during the biennial period for which the principal is  
24 registered. The report shall be made by a person who is identified by the principal  
25 under s. 13.64 (1) (e).

End  
11-18B  
Begin  
11-18D

**BILL**

COA 11-18D

1           (2) Any person who is not a principal may, upon payment of the fee prescribed  
2 under s. 13.75 (5), register with the board an interest in any legislative proposal,  
3 proposed administrative rule, proposed procurement, budget bill subject or other  
4 topic.

5           **SECTION 5.** 13.68 (1) (bp) of the statutes is created to read:

6           13.68 (1) (bp) For each proposed procurement in regard to which a lobbyist for  
7 the principal attempted to influence administrative action, the principal's  
8 reasonable estimate of the proportion of its time spent in lobbying associated with  
9 that proposed procurement.

End 11-18D

10           **SECTION 6.** 13.75 (5) of the statutes is amended to read:

Begin 11-18F

11           13.75 (5) Registering an interest in a legislative proposal, proposed  
12 administrative rule, proposed procurement, budget bill subject or other topic under  
13 13.67 (2), \$10, except that no fee is required for an individual who is eligible for the  
14 veterans fee waiver program under s. 45.44.

com 11-18F

18           **SECTION 18.** 19.42 (11s) of the statutes is created to read:

19           19.42 (11s) "Procurement" means the purchase of materials, supplies,  
20 equipment, or contractual services.

21           **SECTION 19.** 19.45 (8) (b) and (c) of the statutes are amended to read:

22           19.45 (8) (b) No former state public official, for 12 months following the date  
23 on which he or she ceases to be a state public official, may, for compensation, on behalf  
24 of any person other than a governmental entity, make any formal or informal  
25 appearance before, or negotiate with, any officer or employee of a department in

2013 - 2014 Legislature

- 8 -

LRB-1154/1  
TKK/CMH/MES:eev:rs

**BILL**

**SECTION 19**

1 connection with any judicial or quasi-judicial proceeding, application, contract,  
2 proposed procurement, claim, or charge which might give rise to a judicial or  
3 quasi-judicial proceeding which was under the former official's responsibility as a  
4 state public official within 12 months prior to the date on which he or she ceased to  
5 be a state public official.

6           (c) No former state public official may, for compensation, act on behalf of any  
7 party other than the state in connection with any judicial or quasi-judicial  
8 proceeding, application, contract, proposed procurement, claim, or charge which  
9 might give rise to a judicial or quasi-judicial proceeding in which the former official  
10 participated personally and substantially as a state public official.

BILL

Sec # (Application) 11 -

1  
2  
3  
4

[REDACTED]

5  
6  
7  
8

(1) The treatment of sections 13.62 (12e), 13.67, 13.68 (1) (bp), and 13.75 (5) of the statutes, the renumbering and amendment of section 13.62 (1) of the statutes, and the creation of section 13.62 (1) (b) of the statutes first apply with respect to reporting periods that begin on or after the effective date of this subsection.

9  
10  
11  
12

[REDACTED]

13  
14  
15

(2) The treatment of sections 19.42 (11s) and 19.45 (8) (b) and (c) of the statutes first applies to the conduct of a former state public official on the effective date of this subsection.

16

(END)

End 11-18F

11-18F

*Insert 11-18 A*

1           **SECTION 31.** 13.025 of the statutes is created to read:

2           **13.025 Ethics training for members.** Before the oath of office may be  
3 administered to any member of the legislature, the member shall complete 4 hours  
4 of ethics training administered by the government accountability board under s.  
5 19.48 (9).

*End 11-18 A*

**INSERT INITIAL APPLICABILITY TKK**

*Insert  
11-18  
G*

6           (0) The treatment of section 13.63 (1)<sup>✓</sup>(a) of the statutes first applies to  
7 applications for a license to act as a lobbyist filed on July 1, 2015.

Insert B

***Internet political activity; individual and public communications***

Currently, with certain exceptions, payments for political communications are subject to disclosure under the campaign finance law, regardless of the medium that is used to conduct the communications. Payments for Internet communications are treated like payments for other communications. Currently, the cost of news stories, political interviews, editorial commentary, or endorsements, regardless of the medium by which they are distributed, are not contributions or disbursements and therefore are not reportable. The costs of communications by an organization other than a political party or personal campaign committee that are limited to the organization's members, shareholders, or subscribers are generally not reportable. In addition, all services for a political purpose by an individual on behalf of a campaign finance registrant are not reportable and are not subject to the current prohibition on contributions and disbursements by corporations and cooperatives unless the individual performing the services is compensated specifically for those services.

This bill provides that any cost incurred to conduct Internet activity is not a contribution or disbursement, and is therefore not reportable if it is performed by an individual acting on his or her own behalf, or acting on behalf of another person, and if the individual is not compensated specifically for his or her services. This includes the cost or value of any equipment and services used by the individual to conduct the activity. The bill similarly provides that any cost incurred in covering a news story, commentary, or editorial by a broadcasting station, cable television operator, producer, or programmer, Internet site, or newspaper or other periodical publication, including an Internet or other periodical publication, except the cost of a news story that appears in a medium that is owned by a candidate, candidate's authorized committee, or political party, is not a contribution or disbursement and is therefore not reportable. In addition, the bill provides specifically that the following are disbursements, and are therefore reportable: a) any payment for a communication to the general public for a political purpose except an Internet communication that is not a disbursement under the bill; b) any payment for the purchase or rental of an electronic-mail address list that is made at the direction of a campaign finance registrant for a political purpose; or c) any payment for an electronic-mail address list that is transferred to a registrant for a political purpose. The bill provides however, that the following are not disbursements, and are therefore not reportable: a) a communication or Internet activity by an individual acting on his or her own behalf, or acting on behalf of another person if the individual is not compensated specifically for those services, including the cost or value of any electronic equipment and services used by the individual to conduct the activity; or b) a nominal fee paid for a communication to the general public.

***Campaign finance registration, record keeping, and reporting thresholds***

With some exceptions, current law requires an individual, candidate, group, or committee that makes or accepts a contribution, incurs an obligation, or makes a disbursement for political purposes and in an amount that exceeds \$25 to register with the Government Accountability Board (GAB). This bill increases that threshold from \$25 to \$1,000.

*Begin Insert 3-1A*

1 last date that a petition for the recall of an officer may be offered for filing is 5 p.m.  
2 on the 60th day commencing after registration. After the recall petition has been  
3 offered for filing, no name may be added or removed. No signature may be counted  
4 unless the date of the signature is within the period provided in this paragraph.

5 **SECTION 39.** 11.01 (6) (b) 8. and 9. of the statutes are created to read:

6 11.01 (6) (b) 8. Any cost incurred to conduct Internet activity for a political  
7 purpose by an individual acting on his or her own behalf, or acting on behalf of  
8 another person if the individual is not compensated specifically for those services,  
9 including the cost or value of any equipment and services identified in s. 11.06 (13).

10 9. Any cost incurred for covering or carrying a news story, commentary, or  
11 editorial by a broadcasting station, cable television operator, producer, or  
12 programmer, Internet site, or newspaper or other periodical publication, including  
13 an Internet or other electronic publication except the cost of a news story that  
14 appears in a medium that is owned or controlled by a candidate, personal campaign  
15 committee of a candidate, support committee of a candidate that is authorized under  
16 s. 11.05 (3) (p), or a political party.

17 **SECTION 40.** 11.01 (7) (a) 5. to 7. of the statutes are created to read:

18 11.01 (7) (a) 5. Any payment for a communication to the general public for a  
19 political purpose by means of any broadcast, satellite communication, newspaper or  
20 other periodical publication, outdoor advertising facility, mass mailing, or mass  
21 telephoning to the general public, or any other form of advertising to the general  
22 public, except communications over the Internet by an individual acting on his or her  
23 own behalf, or acting on behalf of another person if the individual is not compensated  
24 specifically for those services, including the cost or value of any equipment and  
25 services identified in s. 11.06 (13).

1           6. Any payment for the purchase or rental of an electronic-mail address list  
2 made at the direction of a registrant for a political purpose.

3           7. Any payment for an electronic-mail address list that is transferred to a  
4 registrant for a political purpose.

5           **SECTION 41.** 11.01 (7) (b) 6. to 8. of the statutes are created to read:

6           11.01 (7) (b) 6. A communication or Internet activity by an individual acting  
7 on his or her own behalf, or acting on behalf of another person if the individual is not  
8 compensated specifically for those services, including the cost or value of any  
9 equipment and services identified in s. 11.06 (13).

10           7. Any cost incurred in covering or carrying a news story, commentary, or  
11 editorial by a broadcasting station, cable television operator, programmer or  
12 producer, Internet site, or newspaper or other periodical publication, including an  
13 Internet or electronic publication, except the cost of a news story that appears in a  
14 medium that is owned or controlled by a candidate, personal campaign committee  
15 of a candidate, support committee of a candidate that is authorized under s. 11.05 (3)  
16 (p), or a political party.

17           8. A nominal fee paid for a communication to the general public.

18           **SECTION 42.** 11.01 (11g) and (11r) of the statutes are created to read:

19           11.01 (11g) "Independent disbursement" means a disbursement to make a  
20 communication that expressly advocates the election or defeat of a clearly identified  
21 candidate, that is made without cooperation or consultation with a candidate, or any  
22 authorized committee or agent of a candidate, and that is not made in concert with,  
23 or at the request or suggestion of, any candidate, or any authorized committee or  
24 agent of a candidate.

- 40 - *continue*  
*Insert 3-14*

6  
1 (11r) "Independent disbursement committee" means a committee that makes  
2 no disbursements other than independent disbursements and disbursements made  
3 for the administrative support of the committee.

4 SECTION 43. 11.01 (12m) of the statutes is created to read:

5 11.01 (12m) "Internet activity" includes sending or forwarding an electronic  
6 message; providing a hyperlink or other direct access on a person's Internet site to  
7 an Internet site operated by another person; blogging; creating, maintaining, or  
8 hosting an Internet site; payment by a person of a nominal fee for the use of an  
9 Internet site operated by another person; or any other form of communication  
10 distributed over the Internet.

*Insert JTK (R) X*

11 SECTION 44. 11.01 (16) (intro.) of the statutes is amended to read:

12 11.01 (16) (intro.) An act is for "political purposes" when it is done for the  
13 purpose of influencing the election or nomination for election of any individual to  
14 state or local office, for the purpose of influencing the recall from or retention in office  
15 of an individual holding a state or local office, for the purpose of payment of expenses  
16 incurred as a result of a recount at an election, or for the purpose of influencing a  
17 particular vote at a referendum, except as provided in par. (b). In the case of a  
18 candidate, or a committee or group which is organized primarily for the purpose of  
19 influencing the election or nomination for election of any individual to state or local  
20 office, for the purpose of influencing the recall from or retention in office of an  
21 individual holding a state or local office, or for the purpose of influencing a particular  
22 vote at a referendum, all administrative and overhead expenses for the maintenance  
23 of an office or staff which are used principally for any such purpose are deemed to  
24 be for a political purpose.

25 SECTION 45. 11.01 (16) (a) (intro.) of the statutes is amended to read:

*End Insert 3-14*

1 name of the candidate or candidates on whose behalf or in opposition to whom the  
2 disbursement is made, indicating whether the purpose is support or opposition.

3 SECTION 57. 11.06 (1g) of the statutes is created to read:

4 11.06 (1g) SPONSORING ORGANIZATIONS. A corporation, association, or other  
5 entity sponsoring an individual or organization under s. 11.38 (1) (a) 4. need only  
6 include in its reports under sub. (1) those contributions received by the corporation,  
7 association, or other entity for the express purpose of making independent  
8 disbursements, those disbursements made from those contributions or other income,  
9 and those loans or other obligations that are incurred for the express purpose of  
10 making independent disbursements.

11 SECTION 58. 11.06 (13) of the statutes is created to read:

✓ 12 11.06 (13) INTERNET ACTIVITY. (a) In this subsection, "equipment and services"  
13 includes computers, software, Internet domain names, Internet service providers,  
14 and any other technology that is used to provide access to or use of the Internet.

15 (b) If an individual conducts Internet activity for a political purpose on his or  
16 her own behalf or on behalf of another person and is not compensated specifically for  
17 those services, the cost or value of any equipment and services used by the individual  
18 to conduct the activity is not a contribution to the registrant as provided in s. 11.01  
19 (6) (b) 8., regardless of who owns the equipment and services.

20 SECTION 59. 11.09 of the statutes is repealed.

21 SECTION 60. 11.12 (1) (d) of the statutes is amended to read:

22 11.12 (1) (d) Paragraph (a) does not apply to disbursements and obligations  
23 which are exempted from reporting under s. 11.06 (1g) or (2).

24 SECTION 61. 11.12 (3) of the statutes is amended to read:

1 ~~endorsements of candidates, positions the endorsement of a candidate, taking a~~  
 2 ~~position on a referendum or explanation of, explaining its views or interests, or~~  
 3 ~~providing information about how to make a contribution to a candidate endorsed by~~  
 4 ~~the corporation, cooperative, or association without reporting such activity. No such~~  
 5 corporation, cooperative, or association may solicit contributions from persons who  
 6 are not members, shareholders, or subscribers to be used for such ~~purposes activity.~~

7 SECTION 90. 11.30 (4) of the statutes is amended to read:

8 11.30 (4) No owner or other person with a financial interest in a  
9 communications medium may utilize such medium in support of or in opposition to  
10 a candidate or referendum except as provided in this chapter.

11 (4m) This chapter shall not be construed to restrict fair coverage of bona fide  
 12 news stories, interviews with candidates and other politically active individuals,  
 13 editorial comment or endorsement. ~~Such activities editorials by any broadcasting~~  
 14 ~~station, cable television operator or producer, Internet site, or newspaper or other~~  
 15 ~~periodical publication, including an Internet or electronic publication, unless the~~  
 16 ~~communication is made by a candidate, personal campaign committee, support~~  
 17 ~~committee of a candidate authorized under s. 11.05 (3) (p), or a political party.~~  
 18 ~~Activities that are not restricted under this subsection are not subject to an~~  
 19 ~~attribution requirement under sub. (2) and need not be reported as a contribution or~~  
 20 disbursement.

21 SECTION 91. 11.31 (1) (a) of the statutes is amended to read:

22 11.31 (1) (a) Candidates for governor, \$1,078,200 in the primary and  
 23 \$1,078,200 in the election.

24 SECTION 92. 11.31 (1) (b) of the statutes is amended to read:

Begin Inset 11-18 C

1 ~~committee may be made of the official or candidate in the year of -a- the official's or~~  
2 ~~candidate's election between June 1 the first day authorized by law for the circulation~~  
3 ~~of nomination papers as a candidate and the day of the general election, except that:~~

Begin  
11-18 C

4 SECTION 106. 13.63 (1) (a) of the statutes is amended to read:

5 13.63 (1) (a) An ~~application applicant~~ for a license to act as a lobbyist may be  
6 ~~obtained obtain an application~~ from and ~~filed file the application~~ with the board.  
7 Except as authorized under par. (am), an applicant shall include his or her social  
8 security number on the application. The ~~application applicant~~ shall be signed, under  
9 the penalty for making false statements under s. 13.69 (6m), ~~by the lobbyist sign the~~  
10 ~~application. The applicant shall submit with the application the applicable fee under~~  
11 ~~s. 13.75 (1) or (1m) and evidence that the applicant has completed 4 hours of ethics~~  
12 ~~training administered by the board under s. 19.48 (9) within the preceding 24~~  
13 ~~months. Upon approval of the application and payment of the applicable license fee~~  
14 ~~under s. 13.75 (1) or (1m) to by the board, the board shall issue a license which to the~~  
15 ~~applicant. A license issued under this paragraph~~ entitles the licensee to practice  
16 lobbying on behalf of each registered principal ~~who or which has filed for whom or~~  
17 ~~which an authorization for that lobbyist, as required under s. 13.65 for that lobbyist,~~  
18 ~~has been filed and paid for whom or which the authorization fee required under s.~~  
19 ~~13.75 (4) has been paid. The A license issued under this paragraph~~ shall expire on  
20 December 31 of each even-numbered year.

End  
11-18 C  
Begin  
11-18 E

21 SECTION 107. 13.695 (1) (a) of the statutes is amended to read:

22 13.695 (1) (a) The name of the agency filing the statement;

23 SECTION 108. 13.695 (1) (b) of the statutes is amended to read:

24 13.695 (1) (b) The name, title, and salary, which is paid by the state, of each  
25 officer or employee engaged in such legislative activity, the.

cont In use A 11-18E

1 (c) The proportionate amount of time spent on legislative activity and the  
2 general area of legislative action by each such officer or employee.

3 (d) The number of each introduced bill on or about which the officer or employee  
4 has attempted to influence legislative action.

End  
11-18E4

to

5 SECTION 109. 17.02 (1) of the statutes is amended to read:

6 17.02 (1) SENATORS AND MEMBERS OF CONGRESS. Of the resignation of a United  
7 States senator or member of congress from this state, by the senator or member of  
8 congress to the secretary of state. Upon receipt of notice of the resignation, the  
9 secretary of state shall give immediate notice to the governor of the resignation  
10 including the effective date thereof.

11 SECTION 110. 17.18 of the statutes is amended to read:

12 17.18 Vacancies, U.S. senator and representative in congress; how  
13 filled. Vacancies in the office of U.S. senator or representative in congress from this  
14 state shall be filled by election, as provided in s. 8.50 (4) (b), for the residue of the  
15 unexpired term. In addition, an anticipated vacancy in the office of U.S. senator or  
16 representative in congress may be filled as provided in s. 8.50 (4) (bm).

17 SECTION 111. 120.13 (intro.) of the statutes is amended to read:

18 120.13 School board powers. (intro.) The Subject to the prohibitions on  
19 publishing or disseminating information related to or promoting a referendum under  
20 s. 121.91 (3) (a) the school board of a common or union high school district may do  
21 all things reasonable to promote the cause of education, including establishing,  
22 providing, and improving school district programs, functions, and activities for the  
23 benefit of pupils, and including all of the following:

24 SECTION 112. 121.91 (3) (a) of the statutes is amended to read:

Insert 6-16

11.26(5); Am

(5) The contribution limits provided in <sup>sub.</sup> ~~subs.~~ (1) and ~~(4)~~ do not apply to a candidate who makes any contribution or contributions to his or her own campaign for office from the candidate's personal funds or property or the personal funds or property which are owned jointly or as marital property with the candidate's spouse, with respect to any contribution or contributions made to that candidate's campaign only. A candidate's personal contributions shall be deposited in his or her campaign depository account and reported in the normal manner.

11.26

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

Date

LRB-24367dn  
JTK/JK/TKK.....  
p1  
e e g

Representative Mason:

Please review this draft carefully to ensure that it is consistent with your intent. Specifically, please make note of the following:

X 1. This draft doubles the contribution limits for all candidates for "state office", as that term is defined under s. 5.02(23). The limits with regard to the amounts that an individual may receive from committees use the 65 percent/45 percent disbursement level formula as the baseline for determining those limits.

Although the bill does not double the limits for local offices, I did have to recreate the limits that apply to those offices with regard to committee contributions because the bill eliminates the disbursement levels and, therefore, the cross-references to the disbursement levels.

With regard to dollar amounts based on using the 65 percent/45 percent disbursement level formula, you may want to check my math.

X 2. With regard to the electronically filing of campaign finance reports, I borrowed definitions of "electronic signature" and "security procedure" from chapter 137 of the statutes, which addresses authentications and electronic transactions and records. In addition, I delayed the effective date of the changes for electronic filing so that GAB would have approximately six months to implement the changes. Please let me know if you wish to modify these provisions.

3. This draft does not include the "discussion item" under number 13 of the instructions because we may need more information about that issue before we can address it. For example, if you want to prohibit GAB from requiring a federal PAC to submit its national donor/membership list in order to register as a state PAC, do you want that prohibition to apply to all such PACs or do you wish to add some qualifiers to that prohibition? Please note that it is not clear to us why GAB would ask for that information. The statutes certainly do not require it. You may wish to speak with someone at GAB about this issue.

Joseph T. Kreye  
Senior Legislative Attorney  
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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2436/P1dn  
JK:kjfrs

May 23, 2013

Representative Mason:

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1. This draft doubles the contribution limits for all candidates for "state office," as that term is defined under s. 5.02 (23). The limits with regard to the amounts that an individual may receive from committees use the 65 percent/45 percent disbursement level formula as the baseline for determining those limits.

Although the bill does not double the limits for local offices, I did have to recreate the limits that apply to those offices with regard to committee contributions because the bill eliminates the disbursement levels and, therefore, the cross-references to the disbursement levels.

With regard to dollar amounts based on using the 65 percent/45 percent disbursement level formula, you may want to check my math.

2. With regard to electronically filing campaign finance reports, I borrowed definitions of "electronic signature" and "security procedure" from chapter 137 of the statutes, which address authentications and electronic transactions and records. In addition, I delayed the effective date of the changes for electronic filing so that GAB would have approximately six months to implement the changes. Please let me know if you wish to modify these provisions.

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