

1999 DRAFTING REQUEST

Bill

Received: **02/14/2000**

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Senate Chief Clerk 5-1803**

By/Representing: **Donna Doyle**

This file may be shown to any legislator: NO

Drafter: **kuesejt**

May Contact:

Alt. Drafters: **rmarchan**

Subject: **Elections - campaign finance**
Elections - miscellaneous

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Engrossed 1999 Assembly Bill 701

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>Reauired</u>
/?	kuesej t 02/15/2000	chanaman 02/17/2000		_____			
/1			jfrantze 02/17/2000	_____	lrb-docadmin 02/18/2000	lrb-docadmin 02/22/2000	
			jfrantze 02/18/2000	_____	lrb-docadmin 02/18/2000		

FE Sent For:

<END>

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1/1	kuesejt 2/15	cmh 1 2/17	J 2/17	J 2/17						
FE Sent For:										

<END>

1999

ENGROSS BILL
[or 2nd House Sub]

(To Be Printed for Legislature)

SOON

LRB 4347/1

JTK/RM

ENGROSSED 1999 Assembly BILL 701
(Date) Feb 10, 2000 - Printed by direction of Senate CHIEF CLERK

JOINT RULE 63. **Reproduction of engrossed measures.** Upon the finding by the chief clerk of either house that a bill, joint resolution, resolution or major amendment thereto has been amended in the house of origin to a considerable degree, the chief clerk may instruct the legislative reference bureau to prepare and have reproduced an engrossed copy of the measure. In preparing engrossed copy for a bill; joint resolution or resolution the legislative reference bureau shall, if time permits, provide it with a revised analysis. Upon receipt from the legislative reference bureau of the engrossed copy, the chief clerk shall enter that fact in the history file for the measure. Any subsequent amendments to a measure ordered reproduced with all adopted amendments engrossed therein shall be drafted to the reproduced engrossed text.

ADOPTED DOCUMENTS:

orig cl SubAmtdt

4307/1

Amendments to above (if none, write "NONE?"): _____

AA 3
AA 7
AA 8

Corrections - show date (if none, write "NONE"): _____

2-9-00
2-10-00 ROM

Date

Drafter

Editor

ELECTRONIC PROCEDURE: Follow automatic or manual engrossing procedures in *TEXT2000 Reference Guide, Document Specific Procedures, Ch. 20, Engrossing and Enrolling.*

WORDPROCESSING OPERATOR: Give paper copy of engrossed bill to drafter for final check before forwarding.

Make 15 copies of ENGROSSED BILL: Enter introductory information on engrossed bill cover sheet corresponding to the house of the chief clerk who directed the engrossed bill printed: Distribute copies and send copy of engrossed bill electronically to DOA for printing;

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DIRECTING CHIEF CLERK:

- Cover sheet and 9 copies

LRB:

- Drafting file original
- Drafting attorney 1 copy
- Legal section editors....., 1 copy each
- Bill index librarian 1 copy

ASSEMBLY BILL 701 (LRB-4307)

An Act to repeal 11.06 (3) (b) and 11.06 (3r); to renumber and amend 6.36 (2), 6.46 and 11.50 (9); to amend 5.55 (intro.), 6.28 (1), 6.33 (1), 6.35 (1) (intro.), 6.40 (2) (b), 6.45, 6.55 (2) (a), 6.79 (1) to (3), 6.79 (5), 6.87 (2), 6.87 (5), 6.88 (3) (a), 7.08 (1) (c), 7.39 (5), 7.51 (1), 7.53 (2) (a), 8.35 (4) (b) to (d), 9.01 (1) (a), 9.01 (1) (ag) 1., 9.01 (1) (ag) 2., 9.01 (1) (ag) 3., 9.01 (1) (ar) 3., 9.01 (1) (b) 11., 11.01 (11), 11.05 (2r), 11.05 (7), 11.06 (1) (intro.), 11.06 (1) (h), 11.06 (4) (b), 11.12 (4), 11.14 (3), 11.20 (10) (a), 11.21 (15), 11.26 (2) (a), 11.26 (9) (a), 11.26 (9) (b), 11.31 (1) (a), 11.31 (1) (b), 11.31 (1) (c), 11.31 (1) (d), 11.31 (1) (e) and (f), 11.31 (2), 11.31 (3), 11.31 (3m), 11.31 (4), 11.50 (2) (a), 11.50 (2) (b) 5., 11.50 (2) (g), 11.50 (2) (i), 11.50 (8), 11.50 (10m) (title), 11.50 (11) (d), 11.61 (1) (b), 12.60 (1) (a), 12.60 (1) (b) and 60.11 (7); and to create 6.35 (1m), 6.36 (2) (b), 6.36 (4), 6.47, 6.55 (2) (cm), 6.79 (6), 6.87 (6m), 7.41 (4), 9.01 (1) (ad), 9.01 (1) (ag) 1m., 9.01 (1) (ag) 3m., 9.01 (1) (b) 12., 11.05 (3) (q), 11.05 (7m), 11.06 (3x), 11.21 (18), 11.25 (2) (ap), 11.26 (8m), 11.31 (1) (cm), 11.31 (9), 11.395, 11.50 (2) (b) 3m., 11.50 (9) (a) and (b), 11.60 (3r), 12.13 (2) (b) 8. and 12.13 (3) (zm) and (zn) of the statutes; relating to: various changes in the election laws; granting rule-making authority; and providing penalties. (FE)

2000

02-01. A. Introduced by committee on CAMPAIGNS AND ELECTIONS.

02-01. A. Read first time and referred to committee on Campaigns and Elections

618

02-02. A. Assembly amendment 1 offered by Representative Suder (LRB al263)

627

02-02. A. Assembly amendment 2 offered by Representatives Walker and Sherman (LRB al269)

627

02-02. A. Public hearing held .

02-02. A. Executive action taken .

02-03. A. Report passage recommended by committee on Campaigns and Elections, Ayes 6, Noes 3

634

02-03. A. Referred to committee on Rules

634

02-03. A. Placed on calendar 2-g-2000 by committee on Rules .

02-09. A. LRB correction

657

02-09. A. Fiscal estimate received .

02-09. A. Read a second time

655

02-09. A. Assembly amendment 3 offered by Representative Grothman (LRB al354)

655

02-09. A. Assembly amendment 3 adopted

- 655 02-09. A. Assembly amendment 4 offered by Representative Grothman (LRB al348)
- 655 02-09. A. Assembly amendment 5 offered by Representative Grothman (LRB al352)
- 655 02-09. A. Assembly amendment 6 offered by Representatives Walker, Gundrum, Ladwig, Owens, Ainsworth, Pettis and Suder (LRB al327)
- 655 02-09. A. Assembly amendment 7 offered by Representatives Freese and Travis (LRB al368)
- 655 02-09. A. Assembly amendment 8 offered by Representatives Freese and Travis (LRB al294)
- 655 02-09. A. Assembly amendment 4 placed after Assembly amendment 8
- 655 02-09. A. Assembly amendment 5 placed after Assembly amendment 4
- 655 02-09. A. Assembly amendment 9 offered by Representative Schneider (LRB al360)
- 656 02-09. A. Assembly amendment 10 offered by Representatives Black, Berceau, Pocan, Miller, Sinicki, Richards, Turner, Ryba, Meyerhofer, Coggs, Bock and J. Lehman (LRB f42)
- 656 02-09. A. Rules suspended to take up Assembly amendment 10
- 656 02-09. A. Refused to adopt Assembly amendment 10
- 656 02-09. A. Refused to adopt Assembly amendment 6
- 656 02-09. A. Assembly amendment 7 adopted
- 656 02-09. A. Assembly amendment 8 adopted
- 656 02-09. A. Assembly amendment 4 withdrawn and returned to author
- 656 02-09. A. Assembly amendment 5 withdrawn and returned to author
- 656 02-09. A. Assembly amendment 9 laid on table
- 656 02-09. A. Ordered to a third reading
- 656

656 02-09. A. Rules suspended

656 02-09. A. Read a third time and passed, Ayes 52, Noes 45

656 02-09. A. Ordered immediately messaged

02-10. S. Received from Assembly .

02-10. S. Read first time and referred to committee on
Agriculture, Environmental Resources and Campaign
Finance Reform

1 02-10. S. Printed engrossed by the direction of the Senate
Chief Clerk .

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

LRBa1354/1dn
RJM;jlg:km

February 9, 2000

AA 3

The attached amendment restores current law regarding the filing of campaign finance reports by U.S. mail.

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: Robert.Marchant@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1368/1dn
RJM:cjs:jf

February 9, 2000

AA7

This amendment restores current law regarding the lapsing of grants to the Wisconsin election campaign fund.

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: Robert.Marchant@legis.state.wi.us

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

LRBa1294/1dn
RJM:cmh:km

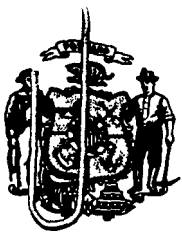
February 4, 2000

AA8

Representative Freese:

The attached amendment creates an effective date of July 1, 2001, for the changes made to the campaign finance laws. Please let me know if you have any questions.

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: Robert.Marchant@legis.state.wi.us



State of Wisconsin
1999-2000 LEGISLATURE

File

CORRECTIONS IN:

1999 ASSEMBLY BILL 701

Prepared by the Legislative Reference Bureau
(February 8, 2000)

- ✓ 1. Page 36, line 17: delete "(intro)".

**ASSEMBLY AMENDMENT 3,
TO 1999 ASSEMBLY BILL 701**

February 9, 2000 - Offered by Representative **GROTHMAN**.

1 At the locations indicated, amend the bill as follows:

2 11. Page 34, line 23: delete the material beginning with that line and ending
3 with page 35, line 5.

4 (END)



State of Wisconsin
1999-2000 LEGISLATURE

CORRECTIONS IN:

**ASSEMBLY AMENDMENT 8,
TO 1999 ASSEMBLY BILL 701**

Prepared by the Legislative Reference Bureau
(February 18, 2000)

In engrossing, the following corrections were made:

1. Page 1, line 5: delete "11.20 (10) (a),".
2. Page 1, line 7: delete "(8),".

NOTE: The above statute cross-references are deleted **from** the effective date provision inserted by Assembly Amendment 8 to Assembly Bill 701 because Assembly Amendments 3 and 7 removed the treatment of those statutes from the bill.



State of Wisconsin
1999 - 2000 LEGISLATURE

-4547-11
LRB-4307A
JTK&RJM:cmh:kjf

ENCLOSED
1999 ASSEMBLY BILL 701

February 10, 2000 - printed by direction of SENATE CHIEF CLERK.

~~February 1, 2000 - Introduced by COMMITTEE ON CAMPAIGNS AND ELECTIONS.
Referred to Committee on Campaigns and Elections.~~

e-g

1 **AN ACT** to ~~repeal~~ 11.06 (3) (b) and 11.06 (3r); ~~to renumber and amend~~ 6.36 (2),
2 6.46 and 11.5 (9); ~~to amend~~ 5.55 (intro.), 6.28 (1), 6.33 (1), 6.35 (1) (intro.), 6.40
3 (2) (b), 6.45, 6.55 (2) (a), 6.79 (1) to (3), 6.79 (5), 6.87 (2), 6.87 (5), 6.88 (3) (a), 7.08
4 (1) (c), 7.39 (5), 7.51 (1), 7.53 (2) (a), 8.35 (4) (b) to (d), 9.01 (1) (a), 9.01 (1) (ag)
5 1., 9.01 (1) (ag) 2., 9.01 (1) (ag) 3., 9.01 (1) (ar) 3., 9.01 (1) (b) 11., 11.01 (11), 11.05
6 (2r), 11.05 (7), 11.06 (1) (intro.), 11.06 (1) (h), 11.06 (4) (b), 11.12 (4), 11.14 (3),
7 11.20 (10) (a) 11.21 (15), 11.26 (2) (a), 11.26 (9) (a), 11.26 (9) (b), 11.31 (1) (a),
8 11.31 (1) (b), 11.31 (1) (c), 11.31 (1) (d), 11.31 (1) (e) and (f), 11.31 (2), 11.31 (3),
9 11.31 (3m), 11.31 (4), 11.50 (2) (a), 11.50 (2) (b) 5., 11.50 (2) (g), 11.50 (2) (i), 11.50
10 (8), 11.50 (10m) (title), 11.50 (11) (d), 11.61 (1) (b), 12.60 (1) (a), 12.60 (1) (b) and
11 60.11 (7); and ~~to create~~ 6.35 (1m), 6.36 (2) (b), 6.36 (4), 6.47, 6.55 (2) (cm), 6.79
12 (6), 6.87 (6m), 7.41 (4), 9.01 (1) (ad), 9.01 (1) (ag) 1m., 9.01 (1) (ag) 3m., 9.01 (1)
13 (b) 12., 11.05 (3) (q), 11.05 (7m), 11.06 (3x), 11.21 (18), 11.25 (2) (ap), 11.26 (8m),
14 11.31 (1) (cm), 11.31 (9), 11.395, 11.50 (2) (b) 3m., 11.50 (9) (a) and (b), 11.60 (3r),

ASSEMBLY BILL 701

1 12.13 (2) (b) 8. and 12.13 (3) (zm) and (zn) of the statutes; **relating to: various**
 2 changes in the election laws; granting rule-making authority; and providing
 3 penalties.

Analysis by the Legislative Reference Bureau

This bill makes various changes in election laws. Significant provisions include:

I. REGISTRATION AND VOTER PARTICIPATION

Confidential listings on poll and registration lists

Currently, the names and addresses of all electors who vote, and in municipalities where registration is required, the names of electors who register to vote, are publicly accessible. Electors must orally disclose their names and addresses at polling places, which are recorded on poll and registration lists. Polling place observers may inspect the lists of names and addresses of registered and actual voters.

This bill permits certain electors to vote or register to vote confidentially. To be eligible for a confidential listing, an elector must have been granted by a court a protective order that is currently in effect restraining another person from having or causing contact with the elector for reasons relating to domestic abuse; the elector must reside in an organized shelter for persons whose personal security is or may be threatened by other persons with whom the residents have had contact; or the elector must present the **affidavit** of a sheriff or chief of a police department verifying that a person has been charged with or convicted of an offense relating to domestic abuse in which the elector was a victim and that the elector reasonably continues to be threatened by that person. Under the bill, an "offense relating to domestic abuse" includes sexual assault, battery, stalking, harassment or sexual exploitation. A confidential listing expires when a protective order expires, when an individual ceases to be a resident of a shelter, when the sheriff or chief of a police department who signed an affidavit notifies a municipal clerk that a judgment in a domestic abuse case has been vacated or that a domestic abuse charge has been dropped, or upon expiration of the two-year period following creation of the listing, whichever first occurs. A listing may be renewed in the same manner as provided for creation of an original listing.

Under the bill, a municipal clerk must still provide access to a confidential name and address to a law enforcement officer for **official** purposes; to a state or local governmental officer pursuant to a specific law that necessitates obtaining the name or address; pursuant to a court order citing a reason that access to a name or address should be provided; to a clerk of circuit court for purposes of jury selection; or at the request of the protected elector for the purpose of permitting the elector to qualify as a signer on certain petitions.

200808
ANALYSIS

ASSEMBLY BILL 701

The bill directs municipal clerks to issue to each elector who is entitled to a confidential listing an identification card containing a unique number issued by the elections board, which may be presented to election inspectors (poll workers) in lieu of providing a name and address. Alternatively, the bill permits an elector where registration is required to give his or her name and identification card number in lieu of an address.

Currently, voters may register at polling places, high schools and various other locations. Under this bill, an elector who wishes to obtain a confidential listing must register at the **office** of the clerk of the municipality where the elector resides.

The bill provides that polling place observers may not view the name or address of any elector who is entitled to be listed on a poll or registration list confidentially. However, the inspectors must disclose to any observer, upon request, the existence of any confidential list of electors, the number of electors whose names appear on the list and the number of those electors who have voted at any point in the proceedings.

The bill prohibits election officials and other persons who are provided confidential information relating to the names and addresses of electors from disclosing that information to other persons who are not authorized to obtain that information. The bill also prohibits an individual from providing false information to a municipal clerk for the purpose of obtaining a confidential listing on a poll or registration list. Violators are guilty of a misdemeanor and are subject to a fine of not more than \$1,000 or imprisonment for not more than six months, or both, for each offense.

II. ELECTIONS ADMINISTRATION***Fees for recounts***

Under current law, a petitioner requesting a recount of an election generally must pay a fee of \$5 for each ward for which a recount is requested and \$5 for each municipality where no wards exist. However, current law does not require a fee if the difference between the leading candidate and the petitioner or the affirmative and negative vote on a referendum was less than ten votes, if 1,000 or less votes were cast, or less than 0.5% of the total votes cast, if greater than 1,000 votes were cast. A petitioner must pay any fee in full at the time he or she files the petition.

This bill retains the current fees and the current exemptions for any election where 1,000 or less votes are cast and retains the current exemption for any election where greater than 1,000 votes are cast and the difference in votes cast between the leading candidate and the petitioner or the affirmative and negative vote on a referendum is 0.5% or less. However, the bill changes the fees for other elections where greater than 1,000 votes are cast. Under the bill, if greater than 1,000 votes are cast in the election and the difference in votes is more than 0.5% but not more than 2% of the total votes cast, the fee under this bill is \$5 per ward and \$5 per municipality where no wards exist. If greater than 1,000 votes are cast and the difference in votes is more than 2% of the total votes cast, the fee under this bill is the actual cost of performing the recount. In addition, the bill requires a petitioner

ASSEMBLY BILL 701

to pay a reasonable estimate of any applicable fee at the time of filing and any balance within 30 days after the filing officer notifies the petitioner of the amount due.

Composition of certain municipal boards of canvassers

Currently, the municipal board of canvassers in each municipality utilizing more than one polling place, except in cities having a population of more than 500,000, is composed of the municipal clerk and two other qualified electors appointed by the clerk. If the clerk's office is vacant, if the clerk cannot perform his or her duties or if the clerk is a candidate at an election being canvassed, the mayor, president or board chairperson of the municipality designates another qualified elector of the municipality to serve in lieu of the clerk.

This bill provides that the municipal board of canvassers in these municipalities is composed of three qualified electors of the municipality, other than the municipal clerk, who shall be appointed by the clerk.

III. CAMPAIGN FINANCING***Disbursement limitations***

Under current law, disbursement (expenditure) levels are specified for candidates for various state and local offices. These levels become a binding limitation upon any candidate for state office who accepts a state grant from the Wisconsin election campaign fund or who agrees to be bound by the limitation, unless the candidate is opposed by a major opponent who could have qualified for a grant but who declines to accept one and declines to file an affidavit of voluntary compliance with disbursement and contribution limitations.

This bill:

1. Revises the current disbursement levels applicable to candidates for the offices shown below as follows:

<i>Office</i>	<i>Current Level</i>	<i>Proposed Level</i>
Governor	\$1,078,200	\$2,500,000
Lieutenant governor	323,475	400,000
Attorney general	539,000	400,000
Supreme court justice	215,625	400,000
Secretary of state	215,625	100,000
State treasurer	215,625	100,000
State superintendent of public instruction	215,625	250,000

ASSEMBLY BILL

State senator	34,500, with disbursement not exceeding \$21,575 in either the primary or the election	70,000 , with disbursements not exceeding \$43,775 in either the primary or the election
Representative to the assembly	17,250, with disbursements not exceeding \$10,775 for either the primary or the election	35,000, with disbursements not exceeding \$21,850 in either the primary or the election

2. Creates a biennial cost-of-living adjustment that causes the statutory disbursement levels to be adjusted biennially, beginning in 2002, in accordance with a formula tied to the "consumer price index" determined by the U.S. department of labor.

Filing of campaign finance reports

Currently, where a requirement is imposed under the campaign finance law for filing of a report by a specified date, the requirement may be satisfied by depositing the report with the U.S. postal service no later than the date provided by law for receipt of the report. This bill permits satisfaction of such a requirement by depositing the report with the U.S. postal service no later than the third day before the date provided by law for receipt of the report.

Registration and reporting by certain federal and nonresident registrants

Currently, a new registrant is generally prohibited from making a contribution or disbursement from property or funds received prior to the date of registration, except that if a registrant has in its possession property or funds at the time of registration that were not intended for political purposes in connection with an election for state or local office at the time they were received, the registrant may report the property or funds as received on the date of registration and may then use the property or funds to make a contribution or disbursement.

This bill permits a nonresident registrant who or which has property or funds in the possession of the registrant on the date of registration from which the registrant wishes to make a contribution or disbursement to use the property or funds to make a contribution or disbursement to the extent permitted under current law if the registrant obtained the property or funds from sources and in amounts that were lawful at the time that the property or funds were received by the registrant. In addition, the bill requires every new nonresident registrant to report any information specified by the board for the year in which the registrant registers and the one-year period preceding that year, plus any additional period required to enable the registrant to make a contribution or disbursement from the property or funds.

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Currently, with certain exceptions, a registrant who or which is required to register with a filing officer in this state must file regular reports identifying contributions received and disbursements made and providing certain other information. However, a nonresident registrant need report only contributions and other income received from sources in this state and disbursements made and obligations incurred with respect to an election for state or local office in this state. This bill deletes this exception to state reporting requirements.

Contribution limitations

Current law limits the total contributions that a candidate for state or local office may accept from all political committees, including political party and legislative campaign committees, and from the Wisconsin election campaign fund to 65% of the disbursement level specified for the office that the candidate seeks. This bill decreases that limitation to 60% of that disbursement level.

The bill also prohibits any special interest ("political action") committee from making any contribution or contributions exceeding \$100 cumulatively within a calendar year to any other special interest committee, and similarly prohibits any conduit (intermediary) from transferring any contribution or contributions exceeding \$100 cumulatively within a calendar year to any special interest committee. In addition, the bill prohibits any special interest committee that receives a contribution in violation of this prohibition from making any contribution or disbursement from the property or funds constituting that contribution. Currently, there are no similar limitations.

Acceptance of unlawful contributions

Under current law, a registrant who receives and retains a contribution for more than 15 days must report the contribution as accepted on the date of receipt. This bill provides that a contribution that is received by a registrant is considered to be accepted unless the recipient returns the contribution to the donor within 30 days of receipt.

Currently, in most cases, violations of the campaign finance law are punishable by a forfeiture (civil monetary penalty) not exceeding \$500. This bill provides that if any registrant accepts an unlawful contribution or a contribution in an amount or value exceeding the amount or value of that the donor is permitted to donate to the registrant under the campaign finance law, the registrant is subject to a forfeiture of not more than 125% of the amount or value of the unlawful contribution or portion thereof that is unlawfully contributed.

Contributions by foreign nationals

This bill prohibits any foreign national from making a contribution to any candidate for state or local office in this state or to any individual, committee or group who or which accepts contributions and makes expenditures for the purpose of influencing an election for state or local office or the outcome of a referendum in this state. Under the bill, a "foreign national" means a government of a foreign country, a foreign political party, an entity organized under the laws of and having its

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principal place of business in a foreign country, or any other individual or entity outside of the United States, except an individual U.S. citizen who is domiciled within the United States or an entity organized under or created by the laws of the United States or any state, territory or possession that has its principal place of business within the United States.

Any person who makes a contribution that is prohibited under the bill is subject to a forfeiture (civil penalty) of treble the amount of the contribution. Any person who intentionally makes a contribution that is prohibited under the bill may be fined not more than \$1,000 or imprisoned for not more than six months, or both, if the contribution does not exceed \$100, and may be fined not more than \$10,000 or imprisoned for not more than three years, or both, if the contribution exceeds \$100.

Currently, there is no such prohibition on foreign national contributions.

Public grants

Under current law, public financing from the Wisconsin election campaign fund is available to finance certain campaign expenses of eligible candidates for the offices of state senator, representative to the assembly, governor, lieutenant governor, attorney general, state treasurer, secretary of state, justice of the supreme court and superintendent of public instruction at a general, spring or special election.

Currently, in order to qualify for a public grant, a candidate must, in addition to other requirements, receive during a specified time period contributions from individuals in amounts of \$100 or less that, together, total a specified amount.

This bill provides that these contributions must be received from individuals who are residents of this state, and that, in the case of a candidate for legislative office, at least 50% of these contributions must be received from individuals who are residents of a county having territory within the district in which the candidate seeks office.

Currently, a candidate for statewide office must receive these qualifying contributions in a total amount at least equivalent to 5% of the authorized disbursement level for the office that the candidate seeks, while a candidate for legislative **office** must receive these qualifying contributions in a total amount at least equivalent to 10% of the authorized disbursement level for the office that the candidate seeks.

This bill requires a candidate for the **office** of governor to receive these qualifying contributions in a total amount at least equivalent to 5% of the authorized disbursement level for the office of governor, and requires a candidate for any other state office to receive these contributions in an amount at least equivalent to 10% of the authorized disbursement level for the office that the candidate seeks.

Currently, the maximum grant that a candidate may receive is equal to 45% of the disbursement level specified for the office that the candidate seeks, less an amount equal to any contributions received and accepted from committees other than political party committees, if **sufficient** moneys are available in the Wisconsin election campaign fund to finance the full amounts of grants for which candidates qualify.

ASSEMBLY BILL 701

This bill increases the maximum grant that a candidate for the office of justice of the ~~supreme~~ court may receive to 50% of the disbursement level specified for that office, and decreases the maximum grant that a candidate for any other state office may receive to 33% of the disbursement level specified for the particular office, subject to adjustment as currently provided.

The bill also disqualifies a candidate from receiving a grant if the candidate or his or her personal campaign committee is not in compliance with all obligations imposed under the public grant law with respect to any grant previously received by the candidate.

~~Currently, any grant moneys that are not encumbered by a candidate on the day after an election in which the candidate participates revert to the state. In addition, any deposits and refunds derived from grant moneys that are received by a candidate after the date of an election in which the candidate participates revert to the state. This bill provides, instead, that all unencumbered moneys in the campaign depository account of a candidate who receives a grant on the day after an election in which the candidate participates, plus all deposits and refunds received by such a candidate after that date, revert to the state to the extent that the unencumbered moneys, together with the deposits and refunds, do not exceed the amount of the grant received by that candidate.~~

Biennial review of campaign finance practices

The bill directs the elections board to conduct a biennial review of campaign finance practices in this state. The review must include an assessment of the continued appropriateness of the contribution limitations prescribed by law and any other important problems that require the attention of the legislature. If the board concludes that any contribution limitations should be increased or that any other action should be taken as a result of its review, the board is directed to transmit its conclusions and recommendations to the appropriate standing committees of the legislature together with any information supporting the board's conclusions.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

INSIGHT ANALYSIS B

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

1 **SECTION 1.** 5.55 (intro.) of the statutes is amended to read:

2 **5.55 Ballot identification.** (intro.) On every ballot, except a ballot label or
3 voting machine ballot, shall be printed "Official Ballot" or "Official Ballot for
4" followed by the designation of the polling place for which the ballot has been
5 prepared, the date of the election, and the official endorsement and blank

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1 certificates. The number of the ward or wards or aldermanic district, if any, and the
2 name of the municipality may be omitted in printing and stamped or written on the
3 ballots at any location which is clearly visible at the option of the county clerk.
4 Printed information and initials shall appear on the back and outside of the ballot.
5 When a ballot card is employed with an electronic voting system, the date of the
6 election may be printed or stamped on the back of the ballot card in such a manner
7 that the card is not reusable, at the option of the county clerk. The ballot shall include
8 a space on the back for the certification required under s. 6.87 (5). Each ballot shall
9 be prepared in substantially the following form:

10 **SECTION 2.** 6.28 (1) of the statutes is amended to read:

11 6.28 **(1) REGISTRATION LOCATIONS; DEADLINE.** Registration in person for any
12 election shall close at 5 p.m. on the 2nd Wednesday preceding the election.
13 Registrations made by mail under s. 6.30 (4) must be delivered to the office of the
14 municipal clerk or postmarked no later than the 2nd Wednesday preceding the
15 election. All applications for registration corrections and additions may be made
16 throughout the year at the **office** of the city board of election commissioners, at the
17 office of the municipal clerk, at the **office** of any register of deeds or at other locations
18 provided by the board of election commissioners or the common council in cities over
19 500,000 population or by either or both the municipal clerk, or the common council,
20 village or town board in all other municipalities and may also be made during the
21 school year at any high school by qualified persons under sub. (2) (a). Other
22 registration locations may include but are not limited to fire houses, police stations,
23 public libraries, institutions of higher education, supermarkets, community centers,
24 plants and factories, banks, savings and loan associations and savings banks.
25 Special registration deputies shall be appointed for all locations. An elector who

1 wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office of
2 the municipal clerk of the municipality where the elector resides.

3 SECTION 3. 6.33 (1) of the statutes is amended to read:

4 6.33 (1) The municipal clerk shall supply sufficient registration forms as
5 prescribed by the board printed on loose-leaf sheets or cards to obtain from each
6 applicant information as to name, date, residence location, citizenship, age, whether
7 the applicant has resided within the ward or election district for at least 10 days,
8 whether the applicant has lost his or her right to vote, and whether the applicant is
9 currently registered to vote at any other location, and shall provide a space for the
10 applicant's signature. The forms shall also include a space for the identification
11 serial number of any elector who is issued such a number under s. 6.47 (3). Each
12 register of deeds shall obtain sufficient registration forms at the expense of the unit
13 of government by which he or she is employed for completion by any elector who
14 desires to register to vote.

15 SECTION 4. 6.35 (1) (intro.) of the statutes is amended to read:

16 6.35 (1) (intro.) Under the direction of the municipal clerk or board of election
17 commissioners, the original registration forms shall be filed in one of the following
18 ways, except as provided in sub. (1m):

19 SECTION 5. 6.35 (1m) of the statutes is created to read:

20 6.35 (1m) Original registration forms of electors who have obtained a
21 confidential listing under s. 6.47 (2) shall be filed in alphabetical order after the
22 forms of the other electors.

23 SECTION 6. 6.36 (2) of the statutes is renumbered 6.36 (2) (a) and amended to
24 read:

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1 6.36 (2) (a) The Except as provided in par. (b), the registration lists shall
2 contain the full name and address of each registered elector, a blank column for the
3 entry of the serial number of the electors when they vote, and a form of a certificate
4 stating that each list is a true and complete combined check and registration list of
5 the respective wards.

6 **SECTION 7.** 6.36 (2) (b) of the statutes is created to read:

7 6.36 (2) (b) If an elector obtains a confidential listing under s. 6.47 (2), the
8 registration list shall be prepared such that the address of the elector does not appear
9 on copies of the list that are used at polling places.

10 **SECTION 8.** 6.36 (4) of the statutes is created to read:

11 6.36 (4) The names and identification serial numbers of electors who have
12 obtained a confidential listing under s. 6.47 (2) shall appear separately after the
13 remainder of the list. These names and serial numbers shall be arranged
14 alphabetically by last name.

15 **SECTION 9.** 6.40 (2) (b) of the statutes is amended to read:

16 6.40 (2) (b) In addition to the revision which is required under s. 6.50,
17 municipal clerks may conduct door-to-door and mail registration canvasses at any
18 time. The door-to-door canvass shall consist of both the deletion from the
19 registration list of the names of electors who no longer reside at the address for which
20 they are registered and the addition to the registration list of the names of electors
21 who reside at that address. The mail canvass shall consist of the municipal clerk
22 examining the registration records and canceling the registration of electors after
23 the mailing of notices in accordance with s. 6.50 (1) and (2) or (2m). The mail canvass
24 may also consist of adding to the registration list the names of eligible electors. Both
25 door-to-door and mail canvasses whenever made shall be made throughout the

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1 municipality in a uniform manner. An elector who wishes to obtain a confidential
2 listing under s. 6.47 (2) shall register at the office of the municipal clerk of the
3 municipality where the elector resides.

4 **SECTION 10.** 6.45 of the statutes is amended to read:

5 **6.45 Access to registration list. (1)** After the deadline for revision of the
6 registration list, the municipal clerk shall make copies of the list for election use.

7 ~~(1m)~~ registration list and any supplemental lists which are prepared at
8 polling places or other registration locations under s. 6.55, shall be open to public
9 inspection. Under the regulations prescribed by the municipal clerk, any person may
10 copy the registration list at the **office** of the clerk. A registration list maintained at
11 a polling place may be examined by an observer when such use does not interfere
12 with the conduct of the election. This subsection does not apply to information that
13 is confidential under s. 6.47.

14 (2) The municipal clerk shall furnish upon request to each candidate who has
15 filed nomination papers for an office which represents at least part of the residents
16 of the municipality one copy of the current registration list for those areas for which
17 he or she is a candidate for a fee not to exceed the cost of reproduction. The clerk shall
18 exclude information that is confidential under s. 6.47 (2) from copies of the list. except
19 as authorized under s. 6.47 (8).

20 **SECTION 11.** 6.46 of the statutes is renumbered 6.46 (1) and amended to read:

21 **6.46 Poll lists; copying. (1)** Poll lists shall be preserved by the municipal
22 clerk until destruction or other disposition is authorized under s. 7.23, ~~and~~.

23 (2) Poll lists shall be open to public inspection, except as provided in s. 6.47.

24 The municipal clerk shall furnish upon request to each candidate who has filed
25 nomination papers for an **office** which represents at least part of the municipality one

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1 copy of the current poll list for those areas for which he or she is a candidate for a fee
2 not to exceed the cost of reproduction. If a copying machine is not accessible, the clerk
3 shall remove the lists from the office for the purposes of copying, and return them
4 immediately thereafter. The clerk shall exclude information that is confidential
5 under s. 6.47 (2) from copies of the list. except as authorized under s. 6.47 (8).

6 **SECTION 12.** 6.47 of the statutes is created to read:

7 **6.47 Confidentiality of information relating to victims of domestic**
8 **abuse. (1)** In this section:

9 (a) "Eligible individual" means:

10 1. An individual who has been granted a protective order that is in effect.

11 2. An individual who files an affidavit with the municipal clerk of the
12 municipality where the individual resides, on a form prescribed by the board, that
13 is signed by a sheriff or the chief of a police department and directed to the municipal
14 clerk, and that verifies that a person has been charged with or convicted of an offense
15 relating to domestic abuse in which the individual was a victim and reasonably
16 continues to be threatened by that person.

17 3. An individual who resides in a shelter.

18 (b) "Offense relating to domestic abuse" means an offense specified in s. 940.19,
19 940.20 (1m), 940.201, 940.22, 940.225, 940.32, 947.013, 948.02, 948.025, 948.06,
20 948.09 or 948.095.

21 (c) "Protected individual" means an individual whose name and address is
22 confidential under sub. (2).

23 (d) "Protective order" means a temporary restraining order or an injunction
24 issued under s. 813.12 or 813.125.

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1 (e) "Shelter" means a place where at least 4 unrelated individuals reside that
2 provides residential shelter to individuals whose personal security is or may be
3 threatened by family members or other persons with whom the individuals have had
4 contact.

5 (2) Except as authorized in sub. (8), the municipal clerk shall withhold from
6 public inspection under s. 19.35 (1) the name and address of any eligible individual
7 whose name appears on a poll list or registration list if the individual files a valid
8 written request with the clerk to protect the individual's confidentiality. To be valid,
9 a request under this subsection must be accompanied by a copy of a protective order
10 that is in effect, an affidavit under sub. (1) (a) 2. that is dated within 30 days of the
11 date of the request or a statement signed by the operator or an authorized agent of
12 the operator of a shelter that is dated within 30 days of the date of the request and
13 that indicates that the operator operates the shelter and that the individual making
14 the request resides in the shelter. A physically disabled individual who appears
15 personally at the office of the municipal clerk accompanied by another elector of this
16 state may designate that elector to make a request under this subsection on his or
17 her behalf.

18 (3) Upon listing of an elector under sub. (2), the municipal clerk shall issue to
19 the elector a voting identification card on a form prescribed by the board that shall
20 contain the name of the municipality issuing the card and in the case of a town, the
21 county in which the town is located, the elector's name, the ward in which the elector
22 resides, if any, and a unique identification serial number issued by the board. The
23 number issued to an elector under this subsection shall not be changed for so long
24 as the elector continues to qualify for a listing under sub. (2).

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1 (4) Except as provided in sub. (5), a confidential listing under sub. (2) expires
2 on the date that a protective order expires, on the date that the protected individual
3 ceases to reside in a shelter or at the end of the 24-month period that follows creation
4 or renewal of the listing under sub. (2), whichever is earliest.

5 (5) (a) The municipal clerk shall cancel a confidential listing under sub. (2) if:

6 1. The clerk receives notification from a sheriff or chief of police under sub. (10).

7 2. The name of the protected individual is legally changed.

8 3. The protected individual changes his or her address without notifying the
9 municipal clerk.

10 4. The municipal clerk finds that the protected individual provided false
11 information to the clerk for the purpose of obtaining a confidential listing under sub.
12 (2).

13 (b) An individual whose confidential listing is canceled under par. (a) may file
14 a new request and qualify under sub. (2) to obtain a renewal of the listing.

15 (6) Upon expiration of a confidential listing on a registration list under sub. (2),
16 the municipal clerk shall cancel the registration of the protected individual unless
17 the individual files a new request and qualifies under sub. (2) to obtain a renewal of
18 the listing or unless the individual applies for and qualifies to obtain a
19 nonconfidential voter registration. Except as authorized in sub. (8), the municipal
20 clerk shall withhold from public inspection under s. 19.35 (1) the name and address
21 of any individual whose registration is canceled under this subsection if the
22 individual qualified for a confidential listing at the time of that listing.

23 (7) (a) If the municipal clerk has notice that a confidential listing under sub.
24 (2) is scheduled to expire, the municipal clerk shall provide 30 days' notice to the
25 protected individual of the scheduled expiration of the listing.

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1 (b) If notice to a protected individual is not provided under par. (a), the
2 municipal clerk shall provide notice to the subject individual upon canceling a
3 confidential listing under sub. (2).

4 (8) The municipal clerk shall provide access to a name and address under sub.
5 (2):

6 (a) To a law enforcement **officer** for official purposes.

7 (b) To a state or local governmental officer pursuant to a specific law that
8 necessitates obtaining the name or address.

9 (c) Pursuant to a court order citing a reason that access to the name or address
10 should be provided.

11 (d) To a clerk of circuit court for purposes of s. 756.04 (5) (a).

12 (e) At the request of a protected individual, for purposes of permitting that
13 individual to sign a petition under s. 59.05 (2) or a protest petition, consent or counter
14 petition under s. 125.05.

15 (9) No person who obtains access to a name or address under sub. (8) may
16 disclose the name or address to any person other than a public employe for the same
17 purpose for which the information was obtained.

18 (10) If a sheriff or chief of a police department who signs an **affidavit** under sub.
19 (1) (a) 2. obtains information that the person who was charged with an offense
20 relating to domestic abuse is no longer so charged or that the person's judgment of
21 conviction has been vacated, and the charge or conviction was the sole basis for the
22 affidavit, the sheriff or chief shall provide written notice of that information to the
23 municipal clerk to whom the affidavit was directed.

24 **SECTION 13.** 6.55 (2) (a) of the statutes is amended to read:

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1 6.55 (2) (a) Except where the procedure under par. (c) or (cm) is employed, any
2 person who qualifies as an elector in the ward or election district where he or she
3 desires to vote, but has not previously filed a registration form, or was registered at
4 another location in a municipality where registration is required, may request
5 permission to vote at the polling place for that ward or election district, or at an
6 alternate polling place assigned under s. 5.25 (5) (b). When a proper request is made,
7 the inspector shall require the person to execute a registration form prescribed by
8 the board which shall contain the following certification:

9 “I, hereby certify that to the best of my knowledge, I am a qualified elector,
10 having resided at for at least 10 days immediately preceding this election, and
11 that I am not disqualified on any ground from voting, and I have not voted, at this
12 election.” If a change of address is made from outside the municipality, the elector
13 shall file a cancellation under s. 6.40 (1) (b) 6.

14 **SECTION 14.** 6.55 (2) (cm) of the statutes is created to read:

15 6.55 (2) (cm) If an elector who is not registered wishes to obtain a confidential
16 listing under s. 6.47 (2), the elector shall register at the office of **the municipal** clerk
17 of the municipality where the elector resides. Upon completion of registration, the
18 municipal clerk or a deputy clerk shall serially number the registration form and
19 issue a voting identification card to the elector under s. 6.47 (3). The elector may vote
20 at the polling place serving his or her residence by presenting the identification card
21 or by providing his or her name and identification serial number.

22 **SECTION 15.** 6.79 (1) to (3) of the statutes are amended to read:

23 **6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION.** Where Except as provided in
24 sub. (6) (a). where there is no registration, before being permitted to vote, each person
25 shall state his or her full name and address. The officials shall record each name and

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1 address on a poll list in the same order as the votes are cast. If the residence of the
2 elector does not have a number, the election officials shall, in the appropriate space,
3 write "none". **Alternatively**, the municipal clerk may maintain a poll list consisting
4 of the full name and address of electors compiled from previous elections. Whenever
5 an elector appears to vote, the officials shall verify the correctness of the elector's
6 name and address, and shall enter a serial number next to the name of the elector
7 in the order that the votes are cast, beginning with the number one. If the name and
8 address of an elector do not appear on the prepared poll list, the officials shall record
9 the name, address and serial number of the elector at the bottom of the list. The
10 officials may require any elector to provide identification, including acceptable proof
11 of residence, or to have another elector corroborate his or her information in
12 accordance with the procedure specified in s. 6.55 (2) (b) before permitting the elector
13 to vote. An elector who presents an identification card under sub. (6) (a) is not
14 required to provide separate identification. The officials shall maintain a separate
15 list of those persons voting under ss. 6.15 and 6.24.

16 **(2) MUNICIPALITIES WITH REGISTRATION.** Where Except as provided in sub. (6) (b),
17 where there is registration, each person, before receiving a voting number, shall state
18 his or her full name and address. Upon the prepared registration list, after the name
19 of each elector, the officials shall enter the serial number of the vote as it is polled,
20 beginning with number one. Each elector shall receive a slip bearing the same serial
21 number. A separate list shall be maintained for electors who are voting under s. 6.15,
22 6.29 or 6.55 (2) or (3) and electors who are reassigned from another polling place
23 under s. 5.25 (5) (b). Each such elector shall have his or her full name, address and
24 serial number likewise recorded and **shall** be given a slip bearing such number.

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1 (3) **REFUSAL TO GIVE NAME AND ADDRESS.** ~~If~~ Except as provided in sub. (6). if any
2 elector offering to vote at any polling place refuses to give his or her name and
3 address, the elector may not be permitted to vote.

4 **SECTION 16.** 6.79 (5) of the statutes is amended to read:

5 6.79 (5) **POLL LIST FORMS.** Poll lists shall be kept on forms designed by the board
6 to be substantially similar to the standard registration list forms used in
7 municipalities where registration is required and shall require, for each person
8 offering to vote, the entry of the person's full name and address, except as otherwise
9 required under sub. (6) (a).

10 **SECTION 17.** 6.79 (6) of the statutes is created to read:

11 **6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES.** (a) In municipalities where there
12 is no registration, an elector who has a confidential listing under s. 6.47 (2) may
13 present an identification card issued under s. 6.47 (3) in lieu of providing his or her
14 name and address. If the elector resides in the area served by the polling place, the
15 inspectors shall then enter the elector's name and identification serial number on the
16 poll list in a section following the other names, shall issue a voting serial number to
17 the elector and shall enter that number on the poll list and permit the elector to vote.

18 (b) In municipalities where registration is required, an elector who has a
19 confidential listing under s. 6.47 (2) may present his or her identification card issued
20 under s. 6.47 (3) or may give his or her name and identification serial number issued
21 under s. 6.47 (3). If the elector's name and identification serial number appear on the
22 confidential portion of the list, the inspectors shall issue a voting serial number to
-23 the elector, enter that number on the registration list and permit the elector to vote.

24 **SECTION 18.** 6.87 (2) of the statutes is amended to read:

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Identification serial number, if any:

The (2 witnesses) (person administering the oath) shall execute either of the following as appropriate:

We, the undersigned witnesses, subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, certify that the above statements are true and the voting procedure was executed as there stated. Neither of us is a candidate for any office on the enclosed ballot (except in the case of an incumbent municipal clerk). The elector was not solicited or advised by us to vote for or against any candidate or measure.

....(Name)

. . .(Address)

. . .(Name)

. . .(Address)

Subscribed and sworn to before me this day of A.D., and I hereby certify that I am not a candidate on the ballot upon which the affiant voted (unless I am an incumbent municipal clerk), that the voting procedure above was executed as therein stated, and that the affiant was not solicited or advised by me to vote for or against any candidate or measure.

....(Name)

....(Title)

. . .(State or nation)

* An elector who provides an identification serial number issued under s. 6.47

(3) need not provide a street address.

SECTION 19. 6.87 (5) of the statutes is amended to read:

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1 6.87 (5) If the absent elector declares that he or she is unable to read, has
2 difficulty in reading, writing or understanding English or due to disability is unable
3 to mark or punch his or her ballot, the elector may select any individual, except the
4 elector's employer or an agent of that employer or an officer or agent of a labor
5 organization which represents the elector, to assist in marking or punching the
6 ballot, and the assistant shall then sign his or her name to a certification on the back
7 of the ~~ballot, as provided under s. 5.55.~~

8 **SECTION 20.** 6.87 (6m) of the statutes is created to read:

9 6.87 **(6m)** Except as authorized in s. 6.47 **(8)**, the municipal clerk shall withhold
10 from public inspection under s. 19.35 (1) the name and address of any absent elector
11 who obtains a confidential listing under s. 6.47 (2).

12 **SECTION 21.** 6.88 (3) (a) of the statutes is amended to read:

13 6.88 (3) (a) Any time between the opening and closing of the polls on election
14 day, the inspectors shall open the carrier envelope only, and announce the absent
15 ~~elector's~~ name of the absent elector or the identification serial number of the absent
16 elector if the elector has a confidential listing under s. 6.47 (2). When the inspectors
17 find that the certification or **affidavit** has been properly executed, the applicant is a
18 qualified elector of the ward or election district, and the applicant has not voted in
19 the election, they shall enter an indication on the poll or registration list next to the
20 applicant's name indicating an absentee ballot is cast by the elector. They shall then
21 open the envelope containing the ballot in a manner so as not to deface or destroy the
22 affidavit or certification thereon. The inspectors shall take out the ballot without
23 unfolding it or permitting it to be unfolded or examined. Unless the ballot is cast
24 under s. 6.95, the inspectors shall verify that the ballot has been endorsed by the
25 issuing clerk. The inspectors shall deposit the ballot ~~in~~ into the proper ballot box and

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1 enter the absent elector's name or voting number after his or her name on the poll
2 or registration list the same as if the elector had been present and voted in person.

3 **SECTION 22.** 7.08 (1) (c) of the statutes is amended to read:

4 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (3) and (4), 6.33
5 (1), 6.40 (1) (b), 6.47 (1) (a) 2. and (3), 6.55 (2) and (3), 6.79 (5) and 6.86 (2) and (3).

6 All such forms shall contain a statement of the penalty applicable to false or
7 fraudulent registration or voting through use of the form. Forms are not required
8 to be furnished by the board.

9 **SECTION 23.** 7.39 (5) of the statutes is amended to read:

10 **7.39 (5) POLL POSITIONS.** Observers of election proceedings, as a matter of right,
11 shall be so positioned at the polls by the chief inspector as to reasonably be enabled
12 to closely observe proceedings and hear instructions given to voters. No observer
13 may view the confidential nortion of a registration list maintained under s. 6.36 (4)
14 or poll list maintained under s. 6.79 (6). However, the inspectors shall disclose to any
15 observer, unon reauest, the existence of such a list, the number of electors whose
16 names appear on the list and the number of those electors who have voted at any
17 point in the proceedings. No observer may view the certificate-affidavit form of an
18 absent elector who obtains a confidential listing under s. 6.47 (2).

19 **SECTION 24.** 7.41 (4) of the statutes is created to read:

20 7.41 (4) An individual exercising the right under sub. (1) may not view any
21 records to which access by observers is prohibited under s. 7.39 (5). The inspectors
22 shall disclose to such an individual, upon request, the existence of confidential
23 records specified in s. 7.39 (5) and the information required to be provided to
24 observers under s. 7.39 (5).

25 **SECTION 25.** 7.51 (1) of the statutes is amended to read:

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1 7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors
2 shall proceed to canvass publicly all votes received at the polling place. In any
3 municipality where an electronic voting system is used, the municipal governing
4 body or board of election commissioners may provide or authorize the municipal
5 clerk or executive director of the board of election commissioners to provide for the
6 adjournment of the canvass to one or more central counting locations for specified
7 polling places in the manner prescribed in subch. III of ch. 5. No central counting
8 location may be used to count votes at a polling place where an electronic voting
9 system is not employed. The canvass, whether conducted at the polling place or at
10 the central counting location, shall continue without adjournment until the canvass
11 is completed and the return statements are made. The inspectors shall not permit
12 access to the name of any elector who has obtained a confidential listing under s. 6.47
13 (2) during the canvass, except as authorized in s. 6.47 (8).

14 **SECTION 26.** 7.53 (2) (a) of the statutes is amended to read:

15 7.53 (2) (a) Except as provided in par. (c), the municipal board of canvassers
16 for municipal elections in each municipality utilizing more than one polling place
17 shall be composed of ~~the municipal clerk and 2 other~~ 3 qualified electors of the
18 municipality, other than the municipal clerk, who shall be appointed by the clerk.
19 The members of the board of canvassers shall serve for Z-year terms commencing on
20 January 1 of each odd-numbered year, except that any member who is appointed to
21 fill a permanent vacancy shall serve for the unexpired term of the original appointee.
22 ~~If the municipal clerk's office is vacant, if the clerk cannot perform his or her duties~~
23 ~~or if the clerk is a candidate at an election being canvassed, the mayor, president or~~
24 ~~board chairperson of the municipality shall designate another qualified elector of the~~
25 ~~municipality to serve in lieu of the clerk for that election.~~ If any other member of the

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1 board of canvassers is a candidate at the election being canvassed, the clerk shall
2 appoint another qualified elector of the municipality to temporarily fill the vacancy.

3
4 **SECTION 27.** 8.35 (4) (b) to (d) of the statutes are amended to read:

5 8.35 (4) (b) Notwithstanding par. (a), if the former candidate received a grant
6 from the Wisconsin election campaign fund, any unspent and unencumbered moneys
7 received by a in the campaign depository account of that candidate from the
8 Wisconsin election campaign fund, up to the amount of the grant received, shall be
9 immediately transferred to any candidate who is appointed to replace such
10 candidate, upon filing of a proper and approval of an application therefor for a grant
11 by the replacement candidate under s. 11.50 (2). If there is no candidate appointed
12 or if no proper application is filed and approved within 7 days of the date on which
13 the vacancy occurs, such moneys shall revert to the state as provided in s. 11:50 (8).

14 (c) The transfer to the replacement candidate under par. (b) shall be made and
15 reported to the appropriate filing officer in a special report, submitted by the former
16 candidate's campaign treasurer. If the former candidate is deceased and was serving
17 as his or her own campaign treasurer, the former candidate's petitioner or personal
18 representative shall file the report and make the transfer required by par. (b), if any
19 and file the report. The report shall be made in the manner provided under s. 11.21
20 (16), if applicable, or otherwise at the appropriate interval under s. 11.20 (2) or (4)
21 and shall include a complete statement of all contributions, disbursements and
22 incurred obligations pursuant to s. 11.06 (1) covering the period from the day after
23 the last date covered on the former candidate's most recent report to the date of
24 disposition.

25 (d) The newly appointed candidate shall file his or her report in the manner
provided under s. 11.21 (16), if applicable, or otherwise at the next appropriate

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1 interval under s. 11.20 (2) or (4) after his or her appointment. The appointed
2 candidate shall include any transferred funds moneys in his or her first report.

3 **SECTION 28. 9.01 (1) (a)** of the statutes is amended to read:

4 9.01 **(1)** (a) Any candidate voted for at any election or any elector who voted
5 upon any referendum question at any election may request a recount. The petitioner
6 shall file a verified petition or petitions ~~accompanied by the fee prescribed in par.~~
7 ~~(ag), if any,~~ with the proper clerk or body under par. ~~(ar)~~ not earlier than the time of
8 completion of the canvass and not later than 5 p.m. on the 3rd business day following
9 the last meeting day of the municipal or county board of canvassers determining the
10 election for that office or on that referendum question or, if more than one board of
11 canvassers makes the determination not later than 5 p.m. on the 3rd business day
12 following the last meeting day of the last board of canvassers which makes a
13 determination. If the chairperson of the board makes the determination for the office
14 or the referendum question, the petitioner shall file the petition not earlier than the
15 last meeting day of the last county board of canvassers to make a statement in the
16 election or referendum and not later than 5 p.m. on the 3rd business day following
17 the day on which the elections board receives the last statement from a county board
18 of canvassers for the election or referendum. Each verified petition shall state that
19 at the election the petitioner was a candidate for the office in question or that he or
20 she voted on the referendum question in issue; that the petitioner is informed and
21 believes that a mistake or fraud has been committed in a specified ward or
22 municipality in the counting and return of the votes cast for the office or upon the
23 question; or shall specify any other defect, irregularity or illegality in the conduct of
24 the election. The petition shall specify each ward, or each municipality where no
25 wards exist, in which a recount is desired. If a recount is requested for all wards

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1 within a jurisdiction, each ward need not be specified. The petition may be amended
2 to include information discovered as a result of the investigation of the board of
3 canvassers or the chairperson of the board after the filing of the petition, if the
4 petitioner moves to amend the petition as soon as possible after the petitioner
5 discovered or reasonably should have discovered the information which is the subject
6 of the amendment and the petitioner was unable to include information in the
7 original petition.

8 **SECTION 29.** 9.01 (1) (ad) of the statutes is created to read:

9 **9.01 (1)** (ad) Upon receiving a petition for a recount, the clerk or body receiving
10 the petition shall calculate any fee due under par. (ag) 1m. or reasonably estimate
11 any fee due under par. (ag) 2. The clerk or body shall provide the petitioner promptly
12 with the total due or estimate.

13 **SECTION 30.** 9.01 (1) (ag) 1. of the statutes is amended to read:

14 9.01 (1) (ag) 1. ~~Each petition for a recount shall be accompanied by the fee~~
15 ~~prescribed in this paragraph.~~ If the difference between the votes cast for the leading
16 candidate and those cast for the petitioner or the difference between the affirmative
17 and negative votes cast upon any referendum question is less than 10 if 1,000 or less
18 votes are cast or less not more than .5% 0.5% of the total votes cast for the office or
19 on the question if more than 1,000 votes are cast, the petitioner is not required to pay
20 a fee.

21 **SECTION 31.** 9.01 (1) (ag) 1m. of the statutes is created to read:

22 9.01 (1) (ag) 1m. If the difference between the votes cast for the leading
23 candidate and those cast for the petitioner or the difference between the affirmative
24 and negative votes cast upon any referendum question is at least 10 if 1,000 or less
25 votes are cast or is more than 0.5% but not more than 2% if more than 1,000 votes

1 are cast, the petitioner shall pay a fee of \$5 for each ward for which the petition
2 requests a ballot recount, or \$5 for each municipality for which the petition requests
3 a recount where no wards exist.

4 SECTION 32. 9.01 (1)(ag) 2. of the statutes is amended to read:

5 9.01 (1)(ag) 2. If the difference between the votes cast for the leading candidate
6 and those cast for the petitioner or the difference between the affirmative and
7 negative votes cast upon any referendum question is at least 10 if 1,000 or less votes
8 are cast or at least .5% more than 2% if more than 1,000 votes are cast, the petitioner
9 shall pay a fee of \$5 for equal to the actual cost of performing the recount in each ward
10 for which the petition requests a ballot recount, or \$5 for in each municipality for
11 which the netition reauest a recount where no wards exist.

12 SECTION 33. 9.01 (1) (ag) 3. of the statutes is amended to read:

13 9.01 (1) (ag) 3. All fees calculated or estimated under par. (ad) shall be prepaid
14 in cash or another form of payment which is acceptable to the officer to whom they
15 are paid. No petition for which a fee is required is valid unless the proper calculated
16 or estimated fee is paid at the time of filing.

17 SECTION 34. 9.01 (1)(ag) 3m. of the statutes is created to read:

18 9.01 (1) (ag) 3m. The petitioner shall pay any balance owing toward the fee due
19 under subd. 2. within 30 days after the clerk or body receiving the petition provides
20 the petitioner with a written statement of the amount due. If the petitioner has
21 overpaid the fee due under subd. 2., the clerk or body receiving the petition shall
22 refund the amount overpaid within 30 days after the board of canvassers makes its
23 determination in the recount.

24 SECTION 35. 9.01 (1) (ar) 3. of the statutes is amended to read:

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1 9.01 (1) (ar) 3. ~~Upon receipt of Whenever a clerk receives~~ a valid petition and
2 any payment under par. (ag) 3., the clerk shall thereupon notify the proper board of
3 canvassers. ~~Upon receipt of Whenever the board receives~~ a valid petition ~~by the~~
4 board and any payment under par. (ag) 3., the board shall promptly by certified mail
5 or other expeditious means order the proper county boards of canvassers to
6 commence the recount. County boards of canvassers shall convene no later than 9
7 a.m. on the second day following after receipt of an order and may adjourn for not
8 more than one day at a time until the recount is completed in the county, except that
9 the board may permit extension of the time for adjournment. Returns from a recount
10 ordered by the board shall be transmitted to the **office** of the board as soon as possible,
11 but in no case later than 13 days from the date of the order of the board directing the
12 recount. The chairperson of the board may not make a determination in any election
13 if a recount is pending before any county board of canvassers in that election. The
14 chairperson of the board need not recount actual ballots, but shall verify the returns
15 of the county boards of canvassers in making his or her determinations.

16 **SECTION 36. 9.01 (1) (b) 11.** of the statutes is amended to read:

17 **9.01 (1) (b) 11.** All steps of the recount shall be performed publicly. ~~All Except~~
18 as provided in subd. 12.. all materials and ballots may be viewed and identified by
19 the candidates, the person **demanding** the recount and their authorized
20 representatives and counsel, but only members of the board of canvassers and
21 tabulators assisting them may touch any of the materials or ballots. The candidates,
22 the person demanding the recount and their authorized representatives and counsel
23 may object to the counting of any ballot. Any errors shall be corrected.

24 **SECTION 37. 9.01 (1) (b) 12.** of the statutes is created to read:

ASSEMBLY BILL 701**SECTION 37**

1 **9.01 (1)** (b) 12. Except as authorized in s. 6.47 (8), the board of canvassers shall
2 not permit access to the name of any elector who has obtained a confidential listing
3 under s. 6.47 (2) during the recanvass.

4 **SECTION 38.** 11.01 (11) of the statutes is amended to read:

5 11.01 (11) "Incurred obligation" means every express obligation to make any
6 contribution or disbursement including every loan, guarantee of a loan or other
7 obligation or payment for any goods, or for any services which have been performed
8 or are to be performed in the future, that is incurred by a candidate, any person,
9 including any committee, individual or group, for political purposes.

10 **SECTION 39.** 11.05 (2r) of the statutes is amended to read:

11 11.05 (2r) (a) Any person, committee or group, other than a committee or
12 individual required to file an-oath a statement under s. 11.06 (7) (a), who or which
13 does not anticipate accepting contributions, making disbursements or incurring
14 obligations in an aggregate amount in excess of \$1,000 in a calendar year and does
15 not anticipate accepting any contribution or contributions from a single source, other
16 than contributions made by a candidate to his or her own campaign, exceeding \$100
17 in that year may indicate on its registration statement that the person, committee
18 or group will not accept contributions, incur obligations or make disbursements in
19 the aggregate in excess of \$1,000 in any calendar year and will not accept any
20 contribution or contributions from a single source, other than contributions made by
21 a candidate to his or her own campaign, exceeding \$100 in such year. Any registrant
22 making such an indication is not subject to any filing requirement if the statement
23 is true. The registrant need not file a termination report. A registrant not making
24 such an indication on a registration statement is subject to a filing requirement. The
25 indication may be revoked and the registrant is then subject to a filing requirement

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1 as of the date of revocation, or the date that aggregate contributions, disbursements
2 or obligations for the calendar year exceed \$1,000, or the date on which the registrant
3 accepts any contribution or contributions exceeding \$100 from a single source, other
4 than contributions made by a candidate to his or her own campaign, during that year,
5 whichever is earlier. If the revocation is not timely, the registrant violates s. 11.27
6 (1).

7 **SECTION 40.** 11.05 (3) (q) of the statutes is created to read:

8 11.05 (3) (q) In the case of a registrant who or which does not maintain a street
9 address within this state, a report providing the information specified by the board
10 for the portion of the year in which the registrant initially files a statement under
11 this section before filing that statement and the one-year period preceding the
12 beginning of that year, plus any additional period required under sub. (7m) to enable
13 the registrant to make a contribution or disbursement from the property or funds.
14 The report required under this paragraph may be filed no later than 10 days
15 following the remainder of a statement filed under this section. A registration lapses
16 if the report required under this paragraph is not filed in a timely manner.

17 **SECTION 41.** 11.05 (7) of the statutes is amended to read:

18 11.05 (7) **CHANGE IN STATUS OF NEW REGISTRANT.** ~~Notwithstanding sub. (6)~~ Except
19 as provided in sub. (7m), any individual or organization who or which has received
20 property or funds which were not intended for political purposes in connection with
21 an election for state or local office at the time of receipt may make contributions or
22 disbursements from such property or funds in connection with an election for state
23 or local office if the individual or organization complies with applicable provisions of
24 sub. (l), (2) or (2g) as soon as such intent changes. For purposes of s. 11.06 (1), all
25 **property or funds which are in a registrant's** the possession of such an individual or

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1 organization on the date of registration under this section shall be treated as received
2 on the date that such intent changes so that the property or funds are to be used for
3 political purposes in connection with an election for state or local office.

4 **SECTION 42.** 11.05 (7m) of the statutes is created to read:

5 **11.05 (7m) NONRESIDENT REGISTRANTS; ADDITIONAL INFORMATION.** If a registrant
6 who or which does not maintain a street address in this state has property or funds
7 in the possession of the registrant on the date of registration from which the
8 registrant wishes to make a contribution or disbursement, the registrant may make
9 a contribution or disbursement from the property or funds to the extent permitted
10 under this chapter if the registrant obtained the property or funds from sources and
11 in amounts that were lawful under this chapter at the time that the property or funds
12 were received by the registrant, and the registrant reports to the appropriate filing
13 officer the information specified by the board under sub. (3) (q) with respect to the
14 property or funds prior to making any contribution or disbursement from the
15 property or funds. For purposes of determining the source of property or funds in the
16 possession of a registrant at the time of registration under this subsection, the
17 property and funds in the possession of a registrant shall be allocated to the sources
18 from which the registrant received property and funds in the inverse order in which
19 the property and funds were chronologically received.

20 **SECTION 43.** 11.06 (1) (intro.) of the statutes is amended to read:

21 **11.06 (1) CONTENTS OF REPORT.** (intro.) Except as provided in subs. (2),~~(3)~~ and
22 (3m) and ss. 11.05 (2r) and 11.19 (2), each registrant under s. 11.05 shall make full
23 reports, upon a form prescribed by the board and signed by the appropriate
24 individual under sub. (5), of all contributions received, contributions or
25 disbursements made, and obligations incurred. Each report shall contain the

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1 following information, covering the period since the last date covered on the previous
2 report, unless otherwise provided:

3 **SECTION 44.** 11.06 (1) (h) of the statutes is amended to read:

4 11.06 (1) (h) An itemized statement of every incurred obligation exceeding \$20
5 in amount or value, together with the name of the person or business with whom the
6 obligation was incurred, and the date and the specific purpose for which ~~each such~~
7 the obligation was incurred.

8 **SECTION 45.** 11.06 (3) (b) of the statutes is repealed.

9 **SECTION 46.** 11.06 (3r) of the statutes is repealed.

10 **SECTION 47.** 11.06 (3x) of the statutes is created to read:

11 11.06 (3x) **RETURN OF CONTRIBUTIONS.** Each registrant who or which receives
12 an unlawful contribution or a contribution in an amount or value that exceeds the
13 amount or value that is permitted to be received from the donor shall promptly
14 return the contribution or portion thereof that is unlawfully contributed to the donor
15 or, if the contribution is made anonymously, shall donate the contribution to the
16 common school fund.

17 **SECTION 48.** 11.06 (4) (b) of the statutes is amended to read:

18 11.06 (4) (b) ~~Unless~~ Each registrant who or which receives any contribution
19 shall report the contribution as received and accented on the date received, unless
20 it is returned or donated within 15 30 days of receipt, a contribution must be reported
21 as received a ~~contribution~~ accepted on the date received. For purposes of this chapter, a
22 contribution is considered to be accented if it is not returned or donated within the
23 period nrescribed under this paragraph. This ~~subsection~~ paragraph applies
24 notwithstanding the fact that the contribution is not deposited ~~in the~~ into a campaign

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1 depository account by the closing date for the a reporting period as provided in s.
2 11.20 (8) or the reporting deadline provided in s. 11.21 (16).

3 **SECTION 49.** 11.12 (4) of the statutes is amended to read:

4 11.12 (4) Each registrant shall report contributions, disbursements and
5 incurred obligations in accordance with s. 11.20, and if the registrant files reports
6 under s. 11.21 (16), in accordance with s. 11.21 (16). Except as permitted under s.
7 11.06 (2), ~~(3)~~ and (3m), each report shall contain the information which is required
8 under s. 11.06 (1).

9 **SECTION 50.** 11.14 (3) of the statutes is amended to read:

10 11.14 (3) Notwithstanding sub. (l), any candidate who serves as his or her own
11 campaign treasurer and who is ~~authorized to make and makes an indication on his~~
12 ~~or her registration statement exempted from reporting under s. 11.05 (2r) that he or~~
13 ~~she will not accept contributions, make disbursements or incur obligations in an~~
14 ~~aggregate amount exceeding \$1,000 in a calendar year, and will not accept any~~
15 ~~contribution or contributions from a single source, other than contributions made by~~
16 ~~the candidate to his or her own campaign, exceeding \$100 in a calendar year, may~~
17 designate a single personal account as his or her campaign depository account, and
18 may intermingle personal and other funds with campaign funds. If a separate
19 depository account is later established by the candidate, the candidate shall transfer
20 **all** campaign funds in the personal account to the new depository account.
21 Disbursements made from such personal account need not be identified in
22 accordance with s. 11.16 (3).

23 **SECTION 51.** 11.20 (10) (a) of the statutes is amended to read:

24 11.20 (10) (a) Where a requirement is imposed under this section for the filing
25 of a financial report which is to be received by the appropriate filing officer no later

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1 than a certain date, the requirement may be satisfied either by actual receipt of the
2 report by the prescribed time for filing at the office of the filing officer, or by filing a
3 report with the U.S. postal service by first class mail with sufficient prepaid postage,
4 addressed to the appropriate filing officer, no later than the 3rd day before the date
5 provided by law for receipt of such report.

6 **SECTION 52.** 11.21 (15) of the statutes is amended to read:

7 11.21 (15) Inform each candidate who files an application to become eligible to
8 receive a grant from the Wisconsin election campaign fund of the dollar amount of
9 the applicable disbursement limitation under s. 11.31 (1), adjusted as provided in s.
10 11.31 (9), which applies to the office for which such person is a candidate. e
11 to receive the notice required by this subsection does not constitute a defense to a
12 violation of s. 11.27 (1) or 11.31.

13 **SECTION 53.** 11.21 (18) of the statutes is created to read:

14 11.21 (18) Conduct a biennial review of campaign finance practices in this
15 state. The review shall include an assessment of the continued appropriateness of
16 the contribution limitations prescribed in s. 11.26 and any other important problems
17 that require the attention of the legislature. If the board concludes that any of the
18 contribution limitations prescribed in s. 11.26 should be increased or that any other
19 action should be taken as a result of its review, the board shall transmit its
20 conclusions and recommendations to the appropriate standing committees of each
21 house of the legislature under s. 13.172 (3), together with information supporting the
22 board's conclusions, no later than January 1 of each odd-numbered year.

23 **SECTION 54.** 11.25 (2) (ap) of the statutes is created to read:

24 11.25 (2) (ap) No committee identified under s. 11.05 (3) (c) as a special interest
25 committee that receives a contribution made or transferred to the committee in

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1 violation of this chapter may make a disbursement from the property or funds that
2 constitute that contribution.

3 **SECTION 55.** 11.26 (2) (a) of the statutes is amended to read:

4 11.26 (2) (a) Candidates for governor, lieutenant governor, secretary of state,
5 state treasurer, attorney general, state superintendent or justice, 4% of the value of
6 the disbursement level specified in the schedule under s. 11.31 (1), as adjusted under
7 s. 11.31 (9).

8 **SECTION 56.** 11.26 (8m) of the statutes is created to read:

9 11.26 (8m) (a) No committee identified under s. 11.05 (3) (c) as a special interest
10 committee may make any contribution or contributions in an amount or value
11 exceeding \$100 cumulatively within a calendar year to any other committee
12 identified under s. 11.05 (3) (c) as a special interest committee.

13 (b) No conduit may transfer any contribution or contributions in an amount or
14 value exceeding \$100 cumulatively within a calendar year to any committee
15 identified under s. 11.05 (3) (c) as a special interest committee.

16 **SECTION 57.** 11.26 (9) (a) of the statutes is amended to read:

17 11.26 (9) (a) ~~any person~~ No individual who is a candidate for state or local office may
18 receive and accept more than 65% 60% of the value of the total disbursement level
19 determined under s. 11.31 (1), as adjusted under s. 11.31 (9), for the office for which
20 he or she is a candidate during any primary and election campaign combined from
21 all committees subject to a filing requirement, including political party and
22 legislative campaign committees.

23 **SECTION 58.** 11.26 (9) (b) of the statutes is amended to read:

24 11.26 (9) (b) No individual who is a candidate for state or local office may receive
25 and accept more than 45% of the value of the total disbursement level determined

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1 under s. 11.31 (1), as adjusted under s. 11.31 (9), for the office for which he or she is
2 a candidate during any primary and election campaign combined from all
3 committees other than political party and legislative campaign committees subject
4 to a filing requirement.

5 **SECTION 59.** 11.31 (1) (a) of the statutes is amended to read:

6 11.31 (1) (a) Candidates for governor, ~~\$1,078,200~~ \$2500,000.

7 **SECTION 60.** 11.31 (1) (b) of the statutes is amended to read:

8 11.31 (1) (b) Candidates for lieutenant governor, ~~\$323,475~~ \$400,000.

9 **SECTION 61.** 11.31 (1) (c) of the statutes is amended to read:

10 11.31 (1) (c) Candidates for attorney general, ~~\$539,000~~ or justice, \$400,000.

11 **SECTION 6.2.** 11.31 (1) (cm) of the statutes is created to read:

12 11.31 (1) (cm) Candidates for state superintendent, \$250,000.

13 **SECTION 63.** 11.31 (1) (d) of the statutes is amended to read:

14 11.31 (1) (d) Candidates for secretary of state, or state treasurer, -
15 ~~superintendent, \$210,600~~ \$100,000.

16 **SECTION 64.** 11.31 (1) (e) and (f) of the statutes are amended to read:

17 11.31 (1) (e) Candidates for state senator, ~~\$34,500~~ \$70,000 total in the primary
18 and election, with disbursements not exceeding ~~\$21,575~~ \$43,775 for either the
19 primary or the election.

20 (f) Candidates for representative to the assembly, ~~\$17,250~~ \$35,000 total in the
21 primary and election, with disbursements not exceeding ~~\$10,775~~ \$21,850 for either
22 the primary or the election.

23 **SECTION 65.** 11.31 (2) of the statutes is amended to read:

24 11.31 (2) **LIMITATION IMPOSED.** No candidate for state office at a spring or general
25 election who files a sworn statement and application to receive a grant from the

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1 Wisconsin election campaign fund may make or authorize total disbursements from
2 the his or her campaign treasury in any campaign to the extent of more than the
3 amount prescribed in sub. (1), adjusted as provided under sub. (9), unless the board
4 determines that the candidate is not eligible to receive a grant, the candidate
5 withdraws his or her application under s. 11.50 (2) (h), or s. 11.50 (2) (i) applies. No
6 candidate for state office at a special election who files a sworn statement and
7 application to receive a grant from the Wisconsin election campaign fund may make
8 or authorize total disbursements from the his or her campaign treasury in any
9 campaign to the extent of more than the amount prescribed under sub. (1), adjusted
10 as provided under sub. (9), for the preceding spring or general election for the same
11 office, unless the board determines that the candidate is not eligible to receive a
12 grant, the candidate withdraws his or her application under s. 11.50 (2) (h), or s. 11.50
13 (2) (i) applies.

14 **SECTION 66. 11.31 (3)** of the statutes is amended to read:

15 11.31 (3) **GUBERNATORIAL CAMPAIGNS.** For purposes of compliance with the
16 limitations imposed under sub. (2), candidates for governor and lieutenant governor
17 of the same political party who both accept grants from the Wisconsin election
18 campaign fund may agree to combine disbursement levels under sub. (1) (a) and (b),
19 as adjusted under sub. (9), and reallocate the total level between them. The
20 candidates shall each inform the board of any such agreement.

21 **SECTION 67. 11.31 (3m)** of the statutes is amended to read:

22 **11.31 (3m) UNOPPOSED CANDIDATES; EXCEPTION.** Notwithstanding subs. (1) and
23 (2), if all candidates for state senator or representative to the assembly in a
24 legislative district who are certified under s. 7.08 (2) (a) to appear on the September
25 primary ballot of all parties recognized under s. 5.62 (1) (b) or (2) have no opponent

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1 who is certified to appear on the same primary ballot, or if no primary is required for
2 all candidates of parties recognized under s. 5.62 (1) (b) or (2) for state senator or
3 representative to the assembly in a legislative district who are certified under s. 8.50
4 (1) (d) to appear on a special partisan election ballot, then the separate limitation
5 specified in sub. (1), as adjusted under sub. (9), for disbursements during the primary
6 and election period does not apply to candidates for that office in that primary and
7 election, and the candidates are bound only by the total limitations specified in sub.
8 (1) for the primary and election, as adjusted under sub. (9).

9 **SECTION 68.** 11.31 (4) of the statutes is amended to read:

10 11.31 (4) **ALLOCATION.** **Except** as provided in sub. (3m), whenever a separate
11 disbursement level is specified for a primary and election under sub. (l), a candidate
12 who disburses less than the authorized level in the primary may not reallocate the
13 balance to increase the level in the election. Whenever a separate disbursement level
14 is not specified for a primary and election under sub. (l), a candidate may allocate
15 disbursements between the primary and election campaign within the total level of
16 disbursements specified in sub. (1), as adjusted under sub. (9), in any proportion
17 desired, and may carry over unexpended contributions from a primary campaign to
18 an election campaign.

19 **SECTION 69.** 11.31 (9) of the statutes is created to read:

20 11.31 (9) **ADJUSTMENT OF DISBURSEMENT LEVELS.** (a) In this subsection,
21 "consumer price index" means the average of the consumer price index over each
22 la-month period, all items, U.S. city average, as determined by the bureau of labor
23 statistics of the federal department of labor.

24 (b) The dollar amounts of all disbursement levels specified in sub. (1) shall be
25 subject to a biennial adjustment to be determined by rule of the board in accordance

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1 with this subsection. To determine the adjustment, the board shall calculate the
2 ~~percentage~~ difference between the consumer price index for the 12-month period
3 ending on December 31 of each odd-numbered year and the consumer price index for
4 the base period, calendar year 2001. For each biennium, the board shall multiply
5 that result by the percentage difference in the consumer price indices. The board
6 shall adjust the disbursement levels specified under sub. (1) to substitute that result
7 for the existing levels to the extent required to reflect any difference, rounded to the
8 nearest multiple of \$25 in the case of amounts of \$1 or more, which amounts shall
9 be in effect until a subsequent rule is promulgated under this subsection.
10 Notwithstanding s. 227.24 (1) (a), (2) (b) and (3), determinations under this
11 subsection may be promulgated as an emergency rule under s. 227.24 without
12 providing evidence that the emergency rule is necessary for the public peace, health,
13 safety or welfare, and without a finding of emergency.

14 **SECTION 70.** 11.395 of the statutes is created to read:

15 **11.395 Contributions by foreign nationals prohibited. (1)** In this section,
16 “foreign national” means a foreign principal, as defined in 22 USC 611 (b), other than
17 a citizen of the United States, or an individual who is not a citizen of the United
18 States and is not lawfully admitted for permanent residence, as defined in 8 USC
19 1101 (a) (20).

20 (2) No foreign national may make a contribution.

21 **SECTION 71.** 11.50 (2) (a) of the statutes is amended to read:

22 11.50 (2) (a) Any individual who desires to qualify as an eligible candidate may
23 file an application with the board requesting approval to participate in the fund. The
24 application shall be filed no later than the applicable deadline for filing nomination
25 papers under s. 8.10 (2) (a), 8.15 (1), 8.20 (8) (a) or 8.50 (3) (a), no later than 4:30 p.m.

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1 on the 7th day after the primary or date on which the primary would be held if
2 required in the case of write-in candidates, or no later than 4:30 p.m. on the 7th day
3 after appointment in the case of candidates appointed to fill vacancies. The
4 application shall contain a sworn statement that the candidate and his or her
5 authorized agents have complied with the contribution limitations prescribed in s.
6 11.26 and the disbursement limitations prescribed under s. 11.31 (1). as adjusted
7 under s. 11.31 (9), at all times to which such limitations have applied to his or her
8 candidacy and will continue to comply with the limitations at all times to which the
9 limitations apply to his or her candidacy for the office in contest, unless the board
10 determines that the candidate is not eligible to receive a grant, the candidate
11 withdraws his or her application under par. (h), or par. (i) applies.

12 **SECTION 72.** 11.50 (2) (b) 3m. of the statutes is created to read:

13 11.50 (2) (b) 3m. The candidate and his or her personal campaign committee
14 are in compliance with all obligations imposed upon the candidate under this section
15 with respect to any grant previously received by the candidate.

16 **SECTION 73.** 11.50 (2) (b) 5. of the statutes is amended to read:

17 11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as
18 of the date of the spring or September primary, or the date that the special primary
19 is or would be held, if required, indicate that the candidate has received at least the
20 amount provided in this subdivision, from contributions of money, other than loans,
21 made by individuals who are residents of this state, which have been received during
22 the period ending on the date of the spring primary and July 1 preceding such date
23 in the case of candidates at the spring election, or the date of the September primary
24 and January 1 preceding such date in the case of candidates at the general election,
25 or the date that a special primary will or would be held, if required, and 90 days

ASSEMBLY BILL 701

SECTION 73

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1 preceding such date or the date a special election is ordered, whichever is earlier, in
2 the case of special election candidates, which contributions are in the aggregate
3 amount of \$100 or less, and which are fully identified and itemized as to the exact
4 source thereof. A contribution received from a conduit which is identified by the
5 conduit as originating from an individual shall be considered a contribution made by
6 the individual. In the case of a candidate for legislative office, at least 50% of the
7 contributions shall be received from individuals who are residents of a county having
8 territory within the district in which the candidate seeks office. Only the first \$100
9 of an aggregate contribution of more than \$100 may be counted toward the required
10 percentage. For a candidate at the spring or general election for an office identified
11 in s. 11.26 (1) (a) or a candidate at a special election for the office of governor, the
12 required amount to qualify for a grant is 5% of the candidate's authorized
13 disbursement limitation under s. 11.31 (1), as adjusted under s. 11.31 (9). For a
14 candidate for any other candidate at the general election state office, the required
15 amount to qualify for a grant is 10% of the candidate's authorized disbursement
16 limitation under s. 11.31 (1), as adjusted under s. 11.31 (9).

17 **SECTION 74.** 11.50 (2) (g) of the statutes is amended to read:

18 11.50 (2) (g) A candidate who voluntarily files an application to receive a grant
19 in accordance with this subsection accepts and agrees to comply with the
20 contribution limitations prescribed in s. 11.26 and the disbursement limitations
21 imposed under s. 11.31(2), as adjusted under s. 11.31 (9) as binding upon himself or
22 herself and his or her agents during the campaign as defined in s. 11.31 (7), as a
23 precondition to receipt of a grant under this section, unless the board determines
24 that the candidate is not eligible to receive a grant, the candidate withdraws the
25 application under par. (h), or par. (i) applies.

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1 **SECTION 75.** 11.50 (2) (i) of the statutes is amended to read:

2 11.50 (2) (i) Notwithstanding par. (g), if an eligible candidate at the spring
3 election or a special nonpartisan election who accepts a grant is opposed by one or
4 more candidates in the election, or if an eligible candidate at the general election or
5 a special partisan election who accepts a grant is opposed by one or more candidates
6 in the election who receive at least 6% of the vote cast for all candidates for the same
7 **office** on all ballots at the September primary or a special partisan primary if a
8 primary was held, and in either case if any such opponent of the eligible candidate
9 does not accept a grant under this section in whole or in part, the eligible candidate
10 is not bound by the pledge made in his or her application to adhere to the contribution
11 limitations prescribed in s. 11.26 and the disbursement limitation prescribed under
12 s. 11.31 (2), as adjusted under s. 11.31 (9), unless each such opponent files an affidavit
13 of voluntary compliance under s. 11.31 (2m).

14 **SECTION 76.** 11.50 (8) of the statutes is amended to read:

15 **11.50 (8) LAPSING GRANTS.** All grants disbursed under sub. (5) remain the
16 property of the state until disbursed or encumbered for a lawful purpose. All grant
17 moneys and all other income received by a candidate that are unspent and
18 unencumbered by a the candidate on the day after the election in which the candidate
19 participates shall revert to the state, up to the total amount of the grant received by
20 that candidate. All deposits and refunds derived from grant moneys that are
21 received by a candidate at any time after the day of the election in which the
22 candidate participates shall revert to the state to the extent that the deposits and
23 refunds, when combined with other unencumbered moneys in the campaign
24 depository account of that candidate, do not exceed the amount of the grant received

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ASSEMBLY BILL 701**SECTION 76**

1 ~~by that candidate. All reversions shall be returned to the board by the candidate and~~
2 ~~shall be deposited in the fund.~~

3 **SECTION 77.** 11.50 (9) of the statutes is renumbered 11.50 (9) (intro.) and
4 amended to read:

5 11.50 (9) **LIMITATION ON GRANTS.** (intro.) The total grant available to an eligible
6 candidate may not exceed that amount which, when added to all other contributions
7 accepted from sources other than individuals, political party committees and
8 legislative campaign committees, is equal to 45% the percentage of the disbursement
9 level specified in this subsection for the applicable office under s. 11.31 (1), as
10 adjusted under s. 11.31 (9). The board shall scrutinize accounts and reports and
11 records kept under this chapter to assure that applicable limitations under ss. 11.26
12 (9) and 11.31 are not exceeded and any violation is reported. No candidate or
13 campaign treasurer may accept grants exceeding the amount authorized by this
14 subsection. The percentage is:

15 **SECTION 78.** 11.50 (9) (a) and (b) of the statutes are created to read:

16 11.50 (9) (a) For an eligible candidate for the office of justice, 50% of the
17 disbursement limitation.

18 (b) For an eligible candidate for any other state office, 33% of the disbursement
19 limitation.

20 **SECTION 79.** 11.50 (10m) (title) of the statutes is amended to read:

21 11.50 (10m) (title) **RETURN OF GRANTS PRIOR TO ELECTION.**

22 **SECTION 80.** 11.50 (11) (d) of the statutes is amended to read:

23 11.50 (11) (d) No person may expend, authorize the expenditure of or incur any
24 obligation to expend ~~a grant or other contribution~~ any moneys in the campaign

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1 depository account of a candidate after the date of any election where the moneys
2 ~~contained in such contribution~~ are returnable to the state under sub. (8).

3 **SECTION 81.** 11.60 (3r) of the statutes is created to read:

4 11.60 **(3r)** Notwithstanding sub. (l), any registrant who or which accepts an
5 unlawful contribution or a contribution in an amount or value exceeding the amount
6 or value that the donor is permitted to donate to the registrant under this chapter
7 may be required to forfeit not more than 125% of the unlawful contribution or portion
8 thereof that is unlawfully contributed.

9 **SECTION 82.** 11.61 (1) (b) of the statutes, as affected by 1997 Wisconsin Act 283,
10 is amended to read:

11 11.61 **(1)** (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1)
12 ~~or~~, 11.38 or 11.395 where the intentional violation does not involve a specific figure,
13 or where the intentional violation concerns a figure that exceeds \$100 in amount or
14 value may be fined not more than \$10,000 or imprisoned for not more than 4 years
15 and 6 months or both.

16 **SECTION 83.** 12.13 (2) (b) 8. of the statutes is created to read:

17 12.13 (2) (b) 8. Intentionally disclose the name or address of any elector who
18 obtains a confidential listing under s. 6.47 (2) to any person who is not authorized
19 by law to obtain that information.

20 **SECTION 84.** 12.13 (3) (zm) and (zn) of the statutes are created to read:

21 12.13 (3) (zm) Wilfully provide to a municipal clerk false information for the
22 purpose of obtaining a confidential listing under s. 6.47 (2) for that person or another
23 person.

24 (zn) Disclose to any person information provided under s. 6.47 (8) when not
25 authorized to do so.

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1 **SECTION 85.** 12.60 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 283,
2 is amended to read:

3 12.60 (1) (a) Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) (b) 1. to 7. or (3)
4 (a), (e), (f), (j), (k), (L), (m), (y) or (z) may be fined not more than \$10,000 or imprisoned
5 for not more than 4 years and 6 months or both.

6 **SECTION 86.** 12.60 (1) (b) of the statutes is amended to read:

7 12.60 (1) (b) Whoever violates s. **12.03, 12.05, 12.07, 12.08** or 12.13 (2) (b) 8. or
8 (3) (b), (c), (d), (g), (i) or, (n) to (x), (zm) or (zn) may be fined not more than \$1,000, or
9 imprisoned not more than 6 months or both.

10 **SECTION 87. 60.11 (7)** of the statutes is amended to read:

11 **60.11 (7) POLL LIST.** An annual town meeting may require the clerk of the town
12 meeting to keep a poll list with the name and address of every elector voting at the
13 meeting. If an elector of the town obtains a confidential listing: under s. 6.47 (2) and
14 presents an identification card issued under s. 6.47 (3). the clerk shall record the
15 identification serial number of the elector in lieu of the elector's address.

16 **SECTION 88. Initial applicability.**

17 (1) **FEEES FOR RECOUNTS OF ELECTIONS.** The treatment of section **9.01 (1) (a)** (as
18 it relates to fees for recounts of elections), (ad), (**ag**) l., lm., **2.**, 3. and 3m. and (ar)
19 3. (as it relates to fees for recounts of elections) of the statutes first applies to petitions
20 for recounts filed on the effective date of **this** subsection.

21 (2) **CAMPAIGN FINANCE REPORTS OF NONRESIDENT REGISTRANTS.** The treatment of
22 section 11.05 (3) (q) of the statutes first applies to registration statements filed on the
23 effective date of this subsection.



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INSERT ANALYSIS A

Engrossment information:

The text of Engrossed 1999 Assembly Bill 701 consists of the bill as passed by the assembly on February 9, 2000, as affected by the following documents adopted in the assembly on February 9, 2000: Assembly Amendment 3, Assembly Amendment 7 and Assembly Amendment 8. The text also includes the February 9, 2000, Legislative Reference Bureau correction to the bill.

Content of Engrossed 1999 Assembly Bill 701:

INSERT ANALYSIS B

~~space~~

Effective date of campaign financing provisions

The provisions of the bill relating to campaign financing take effect on July 1, 2001.

**ASSEMBLY AMENDMENT 8,
TO 1999 ASSEMBLY BILL 701**

February 9, 2000 - Offered by Representatives FREESE and TRAVIS.

At the locations indicated, amend the bill as follows:

1. Page 47, line 7: after that line insert:

effective date

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(2m) CAMPAIGN FINANCE. The treatment of sections 8.35 (4) (b), 11.01 (ll), 11.05 (2r), (3) (q), (7) and (7m), 11.06 (1) (intro.) and (h), (3) (b), (3r), (3x) and (4) (b), 11.12 (4), 11.14 (3), ~~11.20 (10)~~ (a), 11.21 (15) and (18), 11.25 (2) (ap), 11.26 (2) (a), (8m) and (9) (a) and (b), 11.31 (1) (a) to (c), (cm), (d), (e) and (f), (2), (3), (3m), (4) and (9), 11.395, 11.50 (2) (a), (b) 3m. and 5., (g) and (i), ~~(8)~~ (10m) (title) and (11) (d), 11.60 (3r) and 11.61 (1) (b) of the statutes, the renumbering and amendment of section 11.50 (9) of the statutes and the creation of section 11.50 (9) (a) and (b) of the statutes and **SECTION 88 (2) and (3) of this act take effect on July 1, 2001.**

(END)

**ASSEMBLY AMENDMENT 7,
TO 1999 ASSEMBLY BILL 701**

travis members

February 9, 2000 - Offered by Representatives **FRESE** and **TRAVIS**.

1 At the locations indicated, amend the bill as follows:

2 1. Page 25, line 3: delete the material beginning with that line and ending with
3 page 26, line 2, and substitute:

4 ~~SECTION 27m.~~ 8.35 (4) (c) and (d) of the statutes are amended to read:

5 8.35 (4) (c) The transfer to the replacement candidate under par. (b) shall be
6 made and reported to the appropriate filing officer ~~in a special report submitted~~ by
7 the former candidate's campaign treasurer. If the former candidate is deceased and
8 was serving as his or her own campaign treasurer, the former candidate's petitioner
9 or personal representative shall ~~file the report and~~ make the transfer ~~required by~~
10 par. (b), if any and file the report. The report shall be made in the manner provided
11 under s. 11.21 (16), if applicable, or otherwise at the appropriate interval under s.
12 11.20 (2) or (4) and shall include a complete statement of all contributions,
13 disbursements and incurred obligations pursuant to s. 11.06 (1) covering the period

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1 from the day after the last date covered on the former candidate's most recent report
2 to the date of disposition.

3 (d) The newly appointed candidate shall file his or her report in the manner
4 provided under s. 11.21 (16), if applicable, or otherwise at the next appropriate
5 interval under s. 11.20 (2) or (4) after his or her appointment. The appointed
6 candidate shall include any transferred funds moneys in his or her first report".

7 **2.** Page 43, line 14: delete the material beginning with that line and ending
8 with page 44, line 2.

9 (END)