

**2001 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-AB184)**

Received: 06/11/2001

Received By: **rmarchan**

Wanted: **Today**

Identical to LRB:

For: **Shirley Krug (608) 266-5813**

By/Representing: **george twigg**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact:

Addl. Drafters: **kuesejt**

Subject: **Elections - campaign finance**

Extra Copies:

Submit via email: **NO**

Requester's email:

**Pre Topic:**

No specific pre topic given

**Topic:**

ASA (reporting by issue advocacy groups) to AB-184 (reporting by nonresident registrants under campaign finance law)

**Instructions:**

Same as ASA-2 to SB-2. Extend reporting requirements to include issue advocacy groups.

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rmarchan 06/11/2001			_____			
	kuesejt 06/11/2001			_____			
/1			rschluet 06/11/2001	_____	lrb_docadmin 06/11/2001	lrb_docadmin 06/11/2001	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	kuesejt 06/12/2001	csicilia 06/12/2001	rschluet 06/12/2001	_____	lrb_docadmin 06/12/2001	lrb_docadmin 06/12/2001	

FE Sent For:

<END>

**2001 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-AB184)**

Received: 06/11/2001

Received By: **rmarchan**

Wanted: **Today**

Identical to LRB:

For: **Shirley Krug (608) 266-5813**

By/Representing: **george twigg**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact:

Addl. Drafters: **kuesejt**

Subject: **Elections - campaign finance**

Extra Copies:

Submit via email: **NO**

Requester's email:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

ASA (reporting by issue advocacy groups) to AB-184 (reporting by nonresident registrants under campaign finance law)

---

**Instructions:**

Same as ASA-2 to SB-2. Extend reporting requirements to include issue advocacy groups.

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rmarchan 06/11/2001 kuesejt 06/11/2001	2 eps 6/12/01		_____			
/1			rschluet 06/11/2001	_____	lrb_docadmin 06/11/2001	lrb_docadmin 06/11/2001	

*Handwritten signature and date: 6-12-01*

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

FE Sent For:

**<END>**

2001 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB184)

Received: 06/11/2001

Received By: rmarchan

Wanted: Today

Identical to LRB:

For: Shirley Krug (608) 266-5813

By/Representing: george twigg

This file may be shown to any legislator: NO

Drafter: rmarchan

May Contact:

Addl. Drafters: kuesejt

Subject: Elections - campaign finance

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

No specific pre topic given



Topic:

ASA (reporting by issue advocacy groups) to AB-184 (reporting by nonresident registrants under campaign finance law)

Instructions:

Same as ASA-2 to SB-2. Extend reporting requirements to include issue advocacy groups.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	rmarchan	1 jjs 6/11/01		_____	_____	_____	_____
			6-11-01		_____	_____	_____

FE Sent For:

<END>

TODAY

ASSEMBLY SUBSTITUTE AMENDMENT 2,

TO 2001 SENATE BILL 2 AB184

T stays PWRK  
DWRK

S.A.V

March 7, 2001 - Offered by Representatives KRUG, BLACK, BOCK, HEBL, POCAN and MILLER.

Sege

1 AN ACT to repeal 11.06 (3) (b); to amend 11.06 (1) (intro.), 11.06 (2), 11.12 (4) and  
2 11.61 (1) (a) to (c); and to create 11.01 (13) and (20), 11.01 (16) (a) 3., 11.24 (1v),  
3 11.60 (3s) and 11.61 (1) (d) of the statutes; relating to: acceptance of  
4 contributions, the scope of regulation and reporting of information by  
5 nonresident registrants under the campaign finance law, making an  
6 appropriation, and providing a penalty.

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

7 SECTION 1. 11.01 (13) and (20) of the statutes are created to read:  
8 11.01 (13) "Mass mailing" means the distribution of 50 or more pieces of  
9 substantially identical material.

10 (20) "Telephone bank operator" means any person who places or directs the  
11 placement of 50 or more substantially identical telephone calls to individuals.

1           **SECTION 2.** 11.01 (16) (a) 3. of the statutes is created to read:

2           11.01 (16) (a) 3. A communication that is made by means of one or more  
3 communications media or a mass mailing, or through a telephone bank operator,  
4 other than a communication that is exempt from reporting under s. 11.29, that is  
5 made during the period beginning on the 60th day preceding an election and ending  
6 on the date of that election and that includes a name or likeness of a candidate whose  
7 name is certified under s. 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot at that  
8 election or the name of an office to be filled at that election.

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

10           11.06 (1) CONTENTS OF REPORT. (intro.) Except as provided in subs. (2), (3) and  
11 (3m) and ss. 11.05 (2r) and 11.19 (2), each registrant under s. 11.05 shall make full  
12 reports, upon a form prescribed by the board and signed by the appropriate  
13 individual under sub. (5), of all contributions received, contributions or  
14 disbursements made, and obligations incurred. Each report shall contain the  
15 following information, covering the period since the last date covered on the previous  
16 report, unless otherwise provided:

17           **SECTION 4.** 11.06 (2) of the statutes is amended to read:

18           11.06 (2) DISCLOSURE OF CERTAIN INDIRECT DISBURSEMENTS. Notwithstanding  
19 sub. (1), if a disbursement is made or obligation incurred by an individual other than  
20 a candidate or by a committee or group which is not primarily organized for political  
21 purposes, and the disbursement does not constitute a contribution to any candidate  
22 or other individual, committee or group, the disbursement or obligation is required  
23 to be reported only if the purpose is to expressly advocate the election or defeat of a  
24 clearly identified candidate or the adoption or rejection of a referendum or if the  
25 disbursement is made or the obligation incurred to make a communication that is

1 specified in s. 11.01 (16) (a) 3. The exemption provided by this subsection shall in no  
2 case be construed to apply to a political party, legislative campaign, personal  
3 campaign or support committee.

4 **SECTION 5.** 11.06 (3) (b) of the statutes is repealed.

5 **SECTION 6.** 11.12 (4) of the statutes is amended to read:

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

10 **SECTION 7.** 11.24 (1v) of the statutes is created to read:

11 11.24 (1v) No registrant may accept any contribution made by a committee or  
12 group that does not maintain an office or street address within this state at the time  
13 that the contribution is made unless that committee or group is registered with the  
14 federal election commission under 2 USC 433 (a).

15 **SECTION 8.** 11.60 (3s) of the statutes is created to read:

16 11.60 (3s) Notwithstanding sub. (1), if any person, including any committee,  
17 group, or corporation, fails to register or to report a contribution, disbursement, or  
18 incurred obligation, makes an unlawful contribution or disbursement, or incurs an  
19 unlawful obligation, and the violation results from a communication made for a  
20 political purpose described under s. 11.01 (16) (a) 3. but not from an act for a political  
21 purpose described under any other provision of s. 11.01 (16), the person may be  
22 required to forfeit not more than 3 times the amount or value of the contribution,  
23 disbursement, or incurred obligation.

24 **SECTION 9.** 11.61 (1) (a) to (c) of the statutes are amended to read:



1           11.61 (1) (a) ~~Whoever~~ Except as provided in par. (d), whoever intentionally  
2 violates s. 11.05 (1), (2), (2g) or (2r), 11.07 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or  
3 11.24 (1) may be fined not more than \$10,000 or imprisoned for not more than 4 years  
4 and 6 months or both.

5           (b) ~~Whoever~~ Except as provided in par. (d), whoever intentionally violates s.  
6 11.25, 11.26, 11.27 (1), 11.30 (1) or 11.38 where the intentional violation does not  
7 involve a specific figure, or where the intentional violation concerns a figure which  
8 exceeds \$100 in amount or value may be fined not more than \$10,000 or imprisoned  
9 for not more than 4 years and 6 months or both.

10          (c) ~~Whoever~~ Except as provided in par. (d), whoever intentionally violates any  
11 provision of this chapter other than those provided in par. (a) and whoever  
12 intentionally violates any provision under par. (b) where the intentional violation  
13 concerns a specific figure which does not exceed \$100 in amount or value may be fined  
14 not more than \$1,000 or imprisoned not more than 6 months or both.

15           **SECTION 10.** 11.61 (1) (d) of the statutes is created to read:

16           11.61 (1) (d) Paragraphs (a) to (c) do not apply to any violation that is  
17 punishable under s. 11.60 (3s).

18           **SECTION 11. Appropriation changes.**

19           (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
20 to the elections board under section 20.510 (1) (a) of the statutes, as affected by the  
21 acts of 2001, the dollar amount is increased by \$67,400 for fiscal year 2001–02 and  
22 the dollar amount is increased by \$67,400 for fiscal year 2002–03 to increase the  
23 authorized FTE positions for the elections board by 1.0 GPR position and to provide  
24 for supporting expenses and to provide for limited term staffing needs for the purpose  
25 of implementing this act.



DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBs0062/1dn  
JTK&RJM:cjs:pg

March 6, 2001

# 1. This amendment is the same as ASA-2 to SB-2.

Representative ~~Wack~~ <sup>Krug</sup>

~~1. Assembly Amendments 1, 3, and 6 are the same as Senate Amendments 3, 1, and 2, respectively.~~

2. This ~~substitute~~ amendment provides an appropriation increase to the elections board for the 2001-03 fiscal biennium. Because the biennial budget bill repeals and recreates the appropriation schedule under s. 20.005 (3), stats., if this substitute amendment is adopted and ~~SB-2~~ becomes law before the 2001-2003 biennial budget bill is enacted, that bill will eliminate the effect of this appropriation change. Therefore, you may wish to seek incorporation of this appropriation change into the budget bill.

AB-184

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

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**

LRBs0140/1dn  
JTK&RJM:cjs:rs

June 11, 2001

Representative Krug:

1. This amendment is the same as ASA-2 to SB-2
2. This amendment provides an appropriation increase to the elections board for the 2001-03 fiscal biennium. Because the biennial budget bill repeals and recreates the appropriation schedule under s. 20.005 (3), stats., if this substitute amendment is adopted and AB-184 becomes law before the 2001-2003 biennial budget bill is enacted, that bill will eliminate the effect of this appropriation change. Therefore, you may wish to seek incorporation of this appropriation change into the budget bill.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

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



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBs0140/2  
JTK&RJM:cjs:rs

TUE 6/12 10AM

T  
Stays

ASSEMBLY SUBSTITUTE AMENDMENT,  
TO 2001 ASSEMBLY BILL 184

1 AN ACT to repeal 11.06 (3) (b); to amend 11.06 (1) (intro.), 11.06 (2), 11.12 (4) and  
2 11.61 (1) (a) to (c); and to create 11.01 (13) and (20), 11.01 (16) (a) 3., 11.24 (1v),  
3 11.60 (3s) and 11.61 (1) (d) of the statutes; relating to: acceptance of  
4 contributions, the scope of regulation and reporting of information by  
5 nonresident registrants under the campaign finance law, ~~making an~~  
6 ~~appropriation~~ and providing a penalty. ~~stet comma~~

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

7 SECTION 1. 11.01 (13) and (20) of the statutes are created to read:  
8 11.01 (13) "Mass mailing" means the distribution of 50 or more pieces of  
9 substantially identical material.  
10 (20) "Telephone bank operator" means any person who places or directs the  
11 placement of 50 or more substantially identical telephone calls to individuals.

1           **SECTION 2.** 11.01 (16) (a) 3. of the statutes is created to read:

2           11.01 (16) (a) 3. A communication that is made by means of one or more  
3 communications media or a mass mailing, or through a telephone bank operator,  
4 other than a communication that is exempt from reporting under s. 11.29, that is  
5 made during the period beginning on the 60th day preceding an election and ending  
6 on the date of that election and that includes a name or likeness of a candidate whose  
7 name is certified under s. 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot at that  
8 election or the name of an office to be filled at that election.

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

10           11.06 (1) CONTENTS OF REPORT. (intro.) Except as provided in subs. (2), ~~(3)~~ and  
11 (3m) and ss. 11.05 (2r) and 11.19 (2), each registrant under s. 11.05 shall make full  
12 reports, upon a form prescribed by the board and signed by the appropriate  
13 individual under sub. (5), of all contributions received, contributions or  
14 disbursements made, and obligations incurred. Each report shall contain the  
15 following information, covering the period since the last date covered on the previous  
16 report, unless otherwise provided:

17           **SECTION 4.** 11.06 (2) of the statutes is amended to read:

18           11.06 (2) DISCLOSURE OF CERTAIN INDIRECT DISBURSEMENTS. Notwithstanding  
19 sub. (1), if a disbursement is made or obligation incurred by an individual other than  
20 a candidate or by a committee or group which is not primarily organized for political  
21 purposes, and the disbursement does not constitute a contribution to any candidate  
22 or other individual, committee or group, the disbursement or obligation is required  
23 to be reported only if the purpose is to expressly advocate the election or defeat of a  
24 clearly identified candidate or the adoption or rejection of a referendum or if the  
25 disbursement is made or the obligation incurred to make a communication that is

1 specified in s. 11.01 (16) (a) 3. The exemption provided by this subsection shall in no  
2 case be construed to apply to a political party, legislative campaign, personal  
3 campaign or support committee.

4 **SECTION 5.** 11.06 (3) (b) of the statutes is repealed.

5 **SECTION 6.** 11.12 (4) of the statutes is amended to read:

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

10 **SECTION 7.** 11.24 (1v) of the statutes is created to read:

11 11.24 (1v) No registrant may accept any contribution made by a committee or  
12 group that does not maintain an office or street address within this state at the time  
13 that the contribution is made unless that committee or group is registered with the  
14 federal election commission under 2 USC 433 (a).

15 **SECTION 8.** 11.60 (3s) of the statutes is created to read:

16 11.60 (3s) Notwithstanding sub. (1), if any person, including any committee,  
17 group, or corporation, fails to register or to report a contribution, disbursement, or  
18 incurred obligation, makes an unlawful contribution or disbursement, or incurs an  
19 unlawful obligation, and the violation results from a communication made for a  
20 political purpose described under s. 11.01 (16) (a) 3. but not from an act for a political  
21 purpose described under any other provision of s. 11.01 (16), the person may be  
22 required to forfeit not more than 3 times the amount or value of the contribution,  
23 disbursement, or incurred obligation.

24 **SECTION 9.** 11.61 (1) (a) to (c) of the statutes are amended to read:

1           11.61 (1) (a) ~~Whoever~~ Except as provided in par. (d), whoever intentionally  
2 violates s. 11.05 (1), (2), (2g) or (2r), 11.07 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or  
3 11.24 (1) may be fined not more than \$10,000 or imprisoned for not more than 4 years  
4 and 6 months or both.

5           (b) ~~Whoever~~ Except as provided in par. (d), whoever intentionally violates s.  
6 11.25, 11.26, 11.27 (1), 11.30 (1) or 11.38 where the intentional violation does not  
7 involve a specific figure, or where the intentional violation concerns a figure which  
8 exceeds \$100 in amount or value may be fined not more than \$10,000 or imprisoned  
9 for not more than 4 years and 6 months or both.

10           (c) ~~Whoever~~ Except as provided in par. (d), whoever intentionally violates any  
11 provision of this chapter other than those provided in par. (a) and whoever  
12 intentionally violates any provision under par. (b) where the intentional violation  
13 concerns a specific figure which does not exceed \$100 in amount or value may be fined  
14 not more than \$1,000 or imprisoned not more than 6 months or both.

15           **SECTION 10.** 11.61 (1) (d) of the statutes is created to read:

16           11.61 (1) (d) Paragraphs (a) to (c) do not apply to any violation that is  
17 punishable under s. 11.60 (3s).

18           **SECTION 11. Appropriation changes.**

19           (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
20 to the elections board under section 20.510 (1) (a) of the statutes, as affected by the  
21 acts of 2001, the dollar amount is increased by \$67,400 for fiscal year 2001-02 and  
22 the dollar amount is increased by \$67,400 for fiscal year 2002-03 to increase the  
23 authorized FTE positions for the elections board by 1.0 GPR position and to provide  
24 for supporting expenses and to provide for limited term staffing needs for the purpose  
25 of implementing this act.



**1 SECTION 12. Initial applicability.**

**2 (1) The treatment of sections 11.06 (1) (intro.) and (3) (b) and 11.12 (4) of the**  
**3 statutes first applies with respect to reporting periods which begin on or after the**  
**4 effective date of this subsection.**

**5 (END)**