

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

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Don Schneider:

The engrossed bill marries two different reporting and matching systems, one from the original SB-104, sponsored by Senator Ellis, and one from the committee substitute, SSA 1. In preparing the engrossed copies of SB-104, we noted one technical issue and one substantive issue with respect to the combined system that may merit your consideration:

1. One feature of the system from the original SB-104, as contained in proposed s. 11.50 (9) (b) of SA 3, matches contributions intended to be received or received by independent committees other than conduits for use against a candidate. SSA 1 contained a separate proposed s. 11.50 (9) (b) which matched conventional independent disbursements by committees. SA 6 redefined the definition of political purpose so that proposed s. 11.50 (9) (b) was no longer needed because the match that it contained was provided elsewhere. SA 6, therefore, deleted the cross-references to proposed s. 11.50 (9) (b), which are needed to fully carry out the effect of SA 3. These cross-references should be restored.
2. The substantive effect of matching contributions to independent committees as well as disbursements by those committees could result in a double match of some of the same money. This would not necessarily occur because some contribution money might not be spent, some disbursements might be made too late in a campaign to effectively match, and a treasury might have earnings that do not result from contributions. Nevertheless, you may want to consider either adopting the entire reporting structure from the original SB-104 (which matched contributions but not disbursements) or deleting the match for contributions in proposed s. 11.50 (9) (b).

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