

1 (c) Any amount placed in the public information account that is not expended  
2 by the board in any year shall be retained in that account.

3 **SECTION 108.** 11.50 (2s) of the statutes is created to read:

4 11.50 (2s) POLITICAL PARTY ACCOUNTS. (a) There is established a political party  
5 account for each eligible political party. Each political party account consists of all  
6 moneys designated by individuals for deposit in that account under s. 71.10 (3) (a).

7 (b) From the account of each eligible political party, the board shall apportion  
8 moneys to eligible candidates representing that party who qualify to receive grants.  
9 Whenever an eligible candidate representing an eligible political party receives a  
10 grant, the state treasurer shall first make payment of the grant from the political  
11 party account of that party, to the extent that sufficient moneys are available in that  
12 account to make payment of the grant.

13 (c) If a political party for which an account is established under this subsection  
14 ceases to be an eligible political party, the board shall transfer the unencumbered  
15 balance of that account to the general account.

16 **SECTION 109.** 11.50 (2w) of the statutes is created to read:

17 11.50 (2w) GENERAL ACCOUNT. There is established a general account within  
18 the fund consisting of all moneys designated by individuals for deposit in that  
19 account under s. 71.10 (3) (a).

20 **SECTION 110.** 11.50 (3) of the statutes is repealed.

21 **SECTION 111.** 11.50 (4) of the statutes is repealed and recreated to read:

22 11.50 (4) PAYMENT OF GRANT AMOUNTS. The state treasurer shall make payment  
23 of each grant to an eligible candidate from the political party account of that  
24 candidate's political party, if any, if there are sufficient moneys in that account to  
25 make full payment of the grant, and then from the general account. If there are

1 insufficient moneys in the general account to make full payment of a grant, the state  
2 treasurer shall supplement the general account from the appropriation under s.  
3 20.855 (4) (ba) in an amount sufficient to make full payment of the grant. Except as  
4 provided in subs. (4m) and (10), the amount of each grant is the amount specified in  
5 sub. (9).

6 **SECTION 112.** 11.50 (4m) of the statutes is created to read:

7 11.50 (4m) GRANTS FOR PRIMARY CAMPAIGNS. If an eligible candidate who qualifies  
8 to receive a grant in a spring, general, or special election was opposed in the spring  
9 or September primary, or in a special primary, by a candidate who qualified to have  
10 his or her name appear on the primary ballot and the eligible candidate won  
11 nomination in that primary, the board shall award to that candidate the primary  
12 grant specified in sub. (9) (a) at the same time that grants are distributed under that  
13 paragraph for the spring, general, or special election, provided that the candidate  
14 has filed with the board, no later than the time specified in s. 8.10 (2) (a), 8.15 (1),  
15 8.20 (8) (a), or 8.50 (3) (a) nomination papers containing at least the following number  
16 of valid signatures of electors for the office that the candidate seeks:

17 (a) For candidates for statewide offices, not less than 4,000 electors.

18 (b) For candidates for state senator, not less than 800 electors.

19 (c) For candidates for representative to the assembly, not less than 400 electors.

20 **SECTION 113.** 11.50 (5) of the statutes is amended to read:

21 11.50 (5) TIME OF DISBURSEMENT. The state treasurer shall make the  
22 disbursements of grants under sub. (9) (a) to the campaign depository account of each  
23 eligible candidate under subs. (3) and (4) by the end of the 3rd business day following  
24 notice from the board under s. 7.08 (2) (c) or (cm). If an eligible candidate notifies the  
25 state treasurer of the information required to make electronic transfers to the

1 candidate's campaign depository account, the state treasurer shall transfer to the  
2 candidate any supplemental grants under sub. (9) (b), (ba), or (bb) for which the  
3 candidate qualifies immediately following notice from the board under s. 7.08 (2) (c)  
4 or (cm). Eligible candidates for governor and lieutenant governor of the same  
5 political party may combine accounts if desired.

6 SECTION 114. 11.50 (6) of the statutes is amended to read:

7 11.50 (6) EXCESS MONEYS. If the amounts which are to be apportioned to each  
8 eligible candidate ~~under subs. (3) and (4)~~ are more than the amount which a  
9 candidate may accept under sub. (9), or more than the amount which a candidate  
10 elects to accept under sub. (10), the excess moneys shall be retained in the fund.

11 SECTION 115. 11.50 (9) (title) of the statutes is amended to read:

12 11.50 (9) (title) ~~LIMITATION ON~~ AMOUNT OF GRANTS.

13 SECTION 116. 11.50 (9) of the statutes is renumbered 11.50 (9) (a) and amended  
14 to read:

15 11.50 (9) (a) ~~The~~ Except as provided in this paragraph and pars. (b), (ba), and  
16 (bb) the total grant available to an eligible candidate may not exceed an amount  
17 equal to the lesser of 45% of the disbursement level specified for the office that the  
18 candidate seeks, as determined under s. 11.31 (1) and adjusted under s. 11.31 (9) but  
19 without respect to any adjustment under s. 11.31 (1m) or that amount which, when  
20 added to all other contributions accepted ~~from sources other than individuals,~~  
21 ~~political party committees and legislative campaign committees~~ by the candidate, is  
22 equal to 45% the disbursement level specified for the applicable office that the  
23 candidate seeks, as determined under s. 11.31 (1) and adjusted as provided under s.  
24 11.31 (9) but without respect to any adjustment under s. 11.31 (1m). Except as  
25 provided in pars. (b), (ba), and (bb), the total grant available to an eligible candidate

1 who qualifies for a grant for primary campaign expenses under sub. (4m) may not  
2 exceed an amount equal to the lesser of 55% of the disbursement level specified for  
3 the office that the candidate seeks, as determined under s. 11.31 (1) and adjusted  
4 under s. 11.31 (9), but without respect to any adjustment under s. 11.31 (1m), or that  
5 amount which, when added to all other contributions accepted by the candidate, is  
6 equal to the disbursement level specified for the office that the candidate seeks, as  
7 determined under s. 11.31 (1) and adjusted under s. 11.31 (9) but without respect to  
8 any adjustment under s. 11.31 (1m). The board shall scrutinize accounts and reports  
9 and records kept under this chapter to assure that applicable limitations under ss.  
10 11.26 (9) and 11.31 are not exceeded and any violation is reported. No candidate or  
11 campaign treasurer may accept grants exceeding the amount authorized by this  
12 subsection.

13 **SECTION 117.** 11.50 (9) (b), (ba) and (bb) of the statutes are created to read:

14 11.50 (9) (b) If an eligible candidate at a primary or election, or both, who  
15 accepts a grant is opposed by one or more candidates whose names are certified under  
16 s. 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot at that primary or election, and  
17 if a committee identified under s. 11.05 (3) (c) makes any disbursement for the  
18 purpose of opposing the election of the eligible candidate who accepts a grant or for  
19 the purpose of supporting a certified opponent of that candidate without cooperation  
20 or consultation with any certified opposing candidate or such a candidate's agent or  
21 authorized committee, and not in concert with, or at the request or suggestion of, any  
22 certified opposing candidate's agent or authorized committee, then the board shall  
23 make an additional grant to the eligible candidate who accepts a grant in an amount  
24 equal to the total amount or value of disbursements made for the purpose of  
25 supporting the election of the certified opposing candidate or for the purpose of

1 opposing the election of the eligible candidate who accepts the grant, exceeding 10%  
2 of the disbursement limitation for the office that the eligible candidate seeks as  
3 reported by committees under s. 11.12 (6) (c).

4 (ba) If an eligible candidate at a primary or election, or both, who accepts a  
5 grant is opposed by one or more candidates who are required, or whose personal  
6 campaign committees are required, to file a report under s. 11.12 (8), then the board  
7 shall make an additional grant to the eligible candidate who accepts a grant in an  
8 amount equal to the total amount or value of disbursements made by the opposing  
9 candidate or candidates exceeding the amount specified under s. 11.31 (1) (a) to (de),  
10 (e), or (f) for the office which the candidate seeks, as reported by the opposing  
11 candidate under s. 11.12 (8).

12 (bb) When the sum of the aggregate independent expenditures made against  
13 an eligible candidate, and the independent expenditures made for that candidate's  
14 opponent, as reported under sub. (1), exceed 20% of the amount determined under  
15 par. (a) for the office that the eligible candidate seeks in the primary and election for  
16 which the expenditures are made, the board shall make an additional grant to the  
17 eligible candidate. The amount of the additional grant shall equal the total of such  
18 independent expenditures made.

19 **SECTION 118.** 11.50 (11) (a) of the statutes is amended to read:

20 11.50 (11) (a) ~~No~~ Except as authorized for candidates who are awarded grants  
21 under sub. (4m), no grant may be utilized in any primary.

22 **SECTION 119.** 11.50 (11) (e) of the statutes is amended to read:

23 11.50 (11) (e) No candidate may expend, authorize the expenditure of or incur  
24 any obligation to expend any grant if he or she violates the pledge required under

1 sub. (2) (a) as a precondition to receipt of a grant, ~~except as authorized in sub. (2) (h)~~  
2 ~~or (i).~~

3 **SECTION 120.** 11.50 (14) of the statutes is created to read:

4 **11.50 (14) CERTIFICATIONS TO SECRETARY OF REVENUE.** (a) In each  
5 even-numbered year, the board shall certify to the secretary of revenue:

6 1. No later than July 1, the name of each political party that qualifies under  
7 sub. (1) (am) 1. as an eligible political party as of the preceding June 1 and whose  
8 state chairperson has filed a request to establish an account for the party under sub.  
9 (2s) (a).

10 2. No later than December 15, the name of each political party that qualifies  
11 under sub. (1) (am) 2. as an eligible political party as of the date of the preceding  
12 general election.

13 (b) As soon as possible after receiving a valid application from an eligible  
14 candidate under sub. (2) (a) and determining that the candidate is eligible to receive  
15 a grant, the board shall certify to the secretary of revenue the full name of that  
16 candidate as the name appears on the candidate's nomination papers.

17 (c) In each certification under this subsection, the board shall specify the  
18 expiration date of the certification.

19 **SECTION 121.** 11.60 (4) of the statutes is amended to read:

20 **11.60 (4)** Actions under this section arising out of an election for state office or  
21 a statewide referendum may be brought by the board or by the district attorney of  
22 the county where the violation is alleged to have occurred, except as specified in s.  
23 11.38. Actions under this section arising out of an election for local office or local  
24 referendum may be brought by the district attorney of the county where the violation  
25 is alleged to have occurred. Actions under this section arising out of an election for

1 county office or a county referendum may be brought by the county board of election  
2 commissioners of the county wherein the violation is alleged to have occurred. In  
3 addition, whenever a candidate or personal campaign committee or agent of a  
4 candidate is alleged to have violated this chapter, action may be brought by the  
5 district attorney of any county any part of which is contained within the jurisdiction  
6 or district in which the candidate seeks election. If a violation concerns a district  
7 attorney or circuit judge or candidate for such offices, the action shall be brought by  
8 the attorney general. If a violation concerns the attorney general or a candidate for  
9 such office, the governor may appoint special counsel under s. 14.11 (2) to bring suit  
10 in behalf of the state. The counsel shall be independent of the attorney general and  
11 need not be a state employe at the time of appointment.

12 **SECTION 122.** 11.61 (1) (a) of the statutes is amended to read:

13 11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), or (2g) ~~or (2r)~~, 11.07  
14 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6), or 11.24 ~~(1)~~ may be fined not more than \$10,000  
15 or imprisoned for not more than 4 years and 6 months or both.

16 **SECTION 123.** 12.05 of the statutes is amended to read:

17 **12.05 False representations affecting elections.** No person may  
18 knowingly make or publish, or cause to be made or published, a false representation  
19 pertaining to a candidate or referendum ~~which~~ that is intended or tends to affect  
20 voting at an election. This section does not apply to any information reported by a  
21 person making an independent expenditure, as defined in s. 11.001 (11m), under s.  
22 11.065 (2).

23 **SECTION 124.** 13.625 (3m) of the statutes is created to read:

24 13.625 (3m) No elective state official and no personal campaign committee of  
25 an elective state official may solicit a lobbyist or principal to arrange for another

1 person to make a campaign contribution to that official or personal campaign  
2 committee or to another elective state official or the personal campaign committee  
3 of that official.

4 **SECTION 125.** 20.510 (1) (q) of the statutes is amended to read:

5 20.510 (1) (q) *Wisconsin election campaign fund.* As a continuing  
6 appropriation, from the Wisconsin election campaign fund, the moneys determined  
7 under s. 11.50 to provide for payments to eligible candidates whose names are  
8 certified under s. 7.08 (2) (c) and (cm) and to provide for public information as  
9 authorized under s. 11.50 (2m).

10 **SECTION 126.** 20.855 (4) (ba) of the statutes is created to read:

11 20.855 (4) (ba) *Wisconsin election campaign fund supplement.* A sum sufficient  
12 equal to the amounts required to make full payment of grants which candidates  
13 qualify to receive from the Wisconsin election campaign fund, to be transferred from  
14 the general fund to the Wisconsin election campaign fund no later than the time  
15 required to make payments of grants under s. 11.50 (5).

16 **SECTION 127.** 25.42 of the statutes is amended to read:

17 **25.42 Wisconsin election campaign fund.** All moneys appropriated under  
18 s. 20.855 (4) (b) and (ba) together with all moneys deposited under ss. 8.35 (4) (a),  
19 11.07 (5), 11.12 (2), 11.16 (2), 11.19 (1), 11.23 (2), and 11.38 (6), all moneys reverting  
20 to the state under s. 11.50 (8) and all gifts, bequests and devises received under s.  
21 11.50 (13) constitute the Wisconsin election campaign fund, to be expended for the  
22 purposes of s. 11.50. All moneys in the fund not disbursed by the state treasurer shall  
23 continue to accumulate indefinitely.

24 **SECTION 128.** 71.10 (3) (a) of the statutes is amended to read:



1           71.10 (3) (a) Every individual filing an income tax return who has a tax liability  
2 or is entitled to a tax refund may designate \$1 \$5 for transfer to the Wisconsin  
3 election campaign fund for the use of eligible candidates under s. 11.50. If the  
4 individuals filing a joint return have a tax liability or are entitled to a tax refund,  
5 each individual may make a designation of \$1 \$5 under this subsection. Each  
6 individual making a designation shall indicate whether the amount designated by  
7 that individual shall be placed in the general account for the use of all eligible  
8 candidates for state office, or in the account of an eligible political party whose name  
9 is certified to the secretary of revenue under s. 11.50 (14). If an individual does not  
10 indicate that the amount of his or her designation shall be placed in the account of  
11 a particular eligible political party, that amount shall be placed in the general  
12 account.

13           SECTION 129. 71.10 (3) (b) of the statutes is amended to read:

14           71.10 (3) (b) The secretary of revenue shall provide a place for these  
15 designations under par. (a) on the face of the individual income tax return and shall  
16 provide next to that place a statement that a designation will not increase tax  
17 liability. Annually on August 15 The secretary shall also provide and highlight a  
18 place in the instructions that accompany the return for any information submitted  
19 to the secretary by the elections board under s. 11.50 (2m) without cost to the board.  
20 No later than the 15th day of each month, the secretary of revenue shall certify to  
21 the elections board, the department of administration and the state treasurer under  
22 s. 11.50 the total amount of designations made on returns processed by the  
23 department of revenue during the preceding fiscal year month and the amount of  
24 designations made during that month for the general account and for the account of  
25 each eligible political party. If any individual attempts to place any condition or

1 restriction upon a designation not authorized under par. (a), that individual is  
2 deemed not to have made a designation on his or her tax return.

3 **SECTION 130.** 806.04 (11m) of the statutes is created to read:

4 **806.04 (11m) CAMPAIGN FINANCE REGISTRATION.** Any person who proposes to  
5 publish, disseminate, or broadcast, or causes to be published, disseminated, or  
6 broadcast, any communication may commence a proceeding under this section to  
7 determine the application to that person of a registration requirement under s. 11.05  
8 (1), (2), or (2g).

9 **SECTION 131. Nonstatutory provisions.**

10 (1) **NONSEVERABILITY.**

11 (a) Notwithstanding section 990.01 (11) of the statutes, if a court finds that all  
12 or any portion of section 11.01 (4m) or (11m), 11.065, or 11.50 (9) (bb) of the statutes,  
13 as created by this act, or section 11.27 (1) or 12.05 of the statutes, as affected by this  
14 act, is unconstitutional, then sections 11.01 (4m) and (11m), 11.065, and 11.50 (9) (bb)  
15 of the statutes, as created by this act, and the treatment of sections 11.27 (1) and  
16 12.05 of the statutes by this act are void in their entirety.

17 (b) Notwithstanding section 990.001 (11) of the statutes, if a court finds that  
18 any part of section 11.12 (8) or 11.50 (9) (ba) of the statutes, as created by this act,  
19 is unconstitutional, this entire act is void.

20 **SECTION 132. Appropriation changes; elections board.**

21 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
22 to the elections board under section 20.510 (1) (a) of the statutes, as affected by the  
23 acts of 2001, the dollar amount is increased by \$76,100 for fiscal year 2001–02 and  
24 the dollar amount is increased by \$85,100 for fiscal year 2002–03 to increase the  
25 authorized FTE positions for the elections board by 1.0 GPR campaign finance

1 investigator position and 1.0 GPR auditor position and to fund supporting expenses  
2 for these positions.

3 **SECTION 133. Initial applicability.**

4 (1) Except as provided in subsections (2) and (3), this act first applies to  
5 elections held on the day after publication.

6 (2) The treatment of section 71.10 (3) (a) of the statutes first applies to claims  
7 filed for taxable years beginning on January 1 of the year in which this subsection  
8 takes effect, except that if this subsection takes effect after July 31 the treatment  
9 first applies to claims filed for taxable years beginning on January 1 of the year  
10 following the year in which this subsection takes effect.

11 (3) The treatment of section 11.31 (9) of the statutes first applies to adjustments  
12 for the biennium beginning on January 1, 2004.

13

(END)

✓

**SENATE AMENDMENT 1,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2001 SENATE BILL 104**

October 2, 2001 – Offered by Senator ELLIS.

1           At the locations indicated, amend the substitute amendment as follows:

2           ✓ **1.** Page 34, line 21: delete the material beginning with that line and ending  
3 with page 35, line 9, and substitute:

4           “**SECTION 75b.** 11.26 (9) (a) of the statutes is renumbered 11.26 (9) (a) (intro.)  
5 and amended to read:

6           11.26 (9) (a) (intro.) No individual who is a candidate for state or local office may  
7 receive and accept more than ~~65% of the value of the total disbursement level~~  
8 ~~determined under s. 11.31 for the office for which he or she is a candidate~~ the  
9 following amount during any primary and election campaign combined from all  
10 committees subject to a filing requirement, including political party and legislative  
11 campaign committees.;

12           **SECTION 75c.** 11.26 (9) (a) 1. to 7. of the statutes are created to read:

1           11.26 (9) (a) 1. For a candidate for the office of governor, \$400,000.

2           2. For a candidate for the office of lieutenant governor, \$100,000.

3           3. For a candidate for the office of attorney general, \$100,000.

4           4. For a candidate for the office of secretary of state, state treasurer, justice or  
5 state superintendent, \$50,000.

6           5. For a candidate for the office of state senator, \$24,000.

7           6. For a candidate for the office of representative to the assembly, \$12,000.

8           7. For a candidate for any other state or local office, 20% of the value of the total  
9 disbursement level, as determined under s. 11.31 (1) and adjusted as provided under  
10 s. 11.31 (9) but without respect to any adjustment under s. 11.31 (1m), for the office  
11 for which he or she is a candidate.

12           **SECTION 75d.** 11.26 (9) (b) of the statutes is renumbered 11.26 (9) (b) (intro.)  
13 and amended to read:

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

20           **SECTION 75e.** 11.26 (9) (b) 1. to 7. of the statutes are created to read:

21           11.26 (9) (b) 1. For a candidate for the office of governor, \$485,190.

22           2. For a candidate for the office of lieutenant governor, \$145,564.

23           3. For a candidate for the office of attorney general, \$ 242,550.

24           4. For a candidate for the office of secretary of state, state treasurer, justice or  
25 state superintendent, \$97,031.



**SENATE AMENDMENT 2,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2001 SENATE BILL 104**

January 24, 2002 – Offered by COMMITTEE ON FINANCE.

1 At the locations indicated, amend the substitute amendment as follows:

2 ✓ 1. Page 33, line 1: delete lines 1 to 7 and substitute:

3 “11.26 (2) (intro.) No committee, other than a political party committee or  
4 ~~legislative campaign committee, and no individual or committee serving as a~~  
5 conduit, may make any contribution or contributions to a candidate for election or  
6 nomination to any of the following offices and to any individual or committee under  
7 s. 11.06 (7) acting solely in support of such a candidate or solely in opposition to the  
8 candidate’s opponent to the extent of more than a total of the amounts specified per  
9 candidate.”

10 ✓ 2. Page 37, line 9: delete lines 9 to 14 and substitute:

11 “11.31 (1m) DISBURSEMENT LEVEL FOR CANDIDATES IN COMPETITIVE PARTISAN  
12 PRIMARY ELECTIONS. The total disbursement level for any candidate for a partisan

1 office at a general or special election whose name appears on the ballot as a candidate  
2 for an office at a primary election preceding that election and who receives less than  
3 twice as many votes at that primary election as another candidate for the same office  
4 within the same political party, and who has an opponent in the general or special  
5 election who received at least 6% of the votes cast for all candidates for the office that  
6 the candidate seeks on all ballots at the September primary or any special primary  
7 preceding the general or special election, is 120% of the amount specified in sub. (1)  
8 for the candidate for the same office who receives the greatest number of votes in the  
9 primary election, as adjusted as provided in sub. (9).”

10 ✓ 3. Page 38, line 16: delete “or (ba)” and substitute “, (ba), or (bb)”.

11 ✓ 4. Page 48, line 22: after “45%” insert “of”.

12 ✗ 5. Page 49, line 19: delete the material beginning with “without” and ending  
13 with “committee” on line 22 and substitute “that is required to be reported under s.  
14 11.12 (6) (c)”.

15 ✗ 6. Page 49, line 24: after “disbursements” insert “, as reported under s. 11.12  
16 (6) (c),”.

17 ✗ 7. Page 50, line 2: delete “disbursement limitation” and substitute “amount  
18 specified under s. 11.31 (1) (a) to (de), (e), or (f)”.

19 ✗ 8. Page 50, line 2: delete the material beginning with “as” and ending with “(c)”  
20 on line 3 and substitute “, as adjusted under s. 11.31 (9) but without respect to any  
21 adjustment under s. 11.31 (1m)”.

22 ✓ 9. Page 50, line 8: after “disbursements” insert “, as reported under s. 11.12  
23 (8),”.





**SENATE AMENDMENT 3,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2001 SENATE BILL 104**

January 24, 2002 - Offered by COMMITTEE ON FINANCE.

1 At the locations indicated, amend the substitute amendment as follows:

2 ~~1.~~ Page 2, line 14: delete "and".

3 ~~2.~~ Page 2, line 15: after "appropriations" insert ", and providing penalties".

4 ~~3.~~ Page 22, line 23: delete the material beginning with that line and ending  
5 with page 23, line 16, and substitute:

6 "11.12 (6) (c) 1. If any committee identified under s. 11.05 (3) (c) as a special  
7 interest committee, other than a conduit, intends to receive any contribution, make  
8 any disbursement, or incur any obligation to make a disbursement for the purpose  
9 of advocating the election or defeat of a clearly identified candidate for a state office  
10 specified in s. 11.31 (1) (a) to (de), (e), or (f) at the general or a special election, or any  
11 such candidate who seeks a nomination for such an office at a primary election,  
12 without cooperation or consultation with a candidate or agent or authorized

SA3-1  
SA6 ← Insert from SA6

1 committee of a candidate who is supported or whose opponent is opposed, and not in  
2 concert with or at the request or suggestion of such a candidate, agent, or committee,  
3 the committee shall report to the board at the times specified in s. 11.20 (2s), in such  
4 manner as the board may prescribe, the name of each candidate who is supported or  
5 whose opponent is opposed and the total amount of contributions to be received,  
6 disbursements to be made, and obligations to be incurred for such a purpose in  
7 support or opposition to that candidate during the 21-day period following the date  
8 on which the report is due to be filed.

9 2. A committee which is required to file reports under this paragraph shall also  
10 report to the board, at the times specified in s. 11.20 (2t), in such manner as the board  
11 may prescribe, the amount and date of each contribution received, disbursement  
12 made, or obligation incurred for the purpose of advocating the election or defeat of  
13 a candidate specified in this paragraph in the manner specified in this paragraph,  
14 and the name of the candidate in support of or in opposition to whom the contribution  
15 was received, disbursement made, or obligation incurred, during the 21-day period  
16 ending on each date specified in s. 11.20 (2t).

17 3. A committee which files a report under this paragraph concerning a  
18 disbursement is not required to file a report pertaining to the same disbursement  
19 under par. (a)."

20 ~~4.~~ Page 27, line 14: after that line insert:

21 "SECTION 54g. 11.20 (2s) of the statutes is created to read:

22 11.20 (2s) A registrant who or which is required to file reports under s. 11.12  
23 (6) (c) 1. with respect to a candidate at the general election shall file the reports on  
24 the 63rd, 42nd, and 21st day prior to that election. A registrant who is required to

1 file reports under s. 11.12 (6) (c) 1. with respect to a special election shall file a report  
2 on the 21st day prior to that election.

3 **SECTION 54r.** 11.20 (2t) of the statutes is created to read:

4 11.20 (2t) A registrant who or which is required to file reports under s. 11.12  
5 (6) (c) 2. with respect to a candidate at the general election shall file the reports no  
6 later than the 39th and 18th days prior to that election. A registrant who or which  
7 is required to file reports under s. 11.12 (6) (c) 2. with respect to a candidate at a  
8 special election shall file the reports no later than the 18th day prior to that election.”.

9 ✓ **5.** Page 49, line 14: delete the material beginning with that line and ending  
10 with page 50, line 3, and substitute:

11 “11.50 (9) (b) If an eligible candidate who accepts a grant is opposed by one or  
12 more candidates in a general or special election whose names are certified under s.  
13 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot, and if a committee intends to receive  
14 or receives any contribution or contributions that are intended to be used or that are  
15 used to oppose the election of the eligible candidate who accepts a grant or to support  
16 a certified opponent of that candidate without cooperation or consultation with any  
17 certified opposing candidate or such a candidate’s agent or authorized committee,  
18 and not in concert with, or at the request or suggestion of any certified opposing  
19 candidate’s agent or authorized committee, then the board shall make an additional  
20 grant to the eligible candidate who accepts a grant in an amount equal to the total  
21 amount of contributions received for the purpose of advocating the election of the  
22 certified opposing candidate or for the purpose of opposing the election of the eligible  
23 candidate who accepts the grant, as reported by committees under s. 11.12 (6) (c).”.

24 ✓ **6.** Page 51, line 18: after that line insert:

1           **"SECTION 120m.** 11.60 (3s) and (3t) of the statutes are created to read:

2           **11.60 (3s)** Notwithstanding sub. (1), if any candidate or committee, other than  
3 a conduit, accepts a contribution, makes a disbursement, or incurs an obligation to  
4 make a disbursement for the purpose of supporting or opposing a candidate for an  
5 office specified in s. 11.31 (1) (a) to (de), (e), or (f) without first registering under s.  
6 11.05 (1), (2), or (2g) to the extent required under s. 11.05 (1), (2), and (2g), or without  
7 reporting the information required under s. 11.12 (6) (c) or (8) or 11.20 (3) or (4) with  
8 respect to that contribution, disbursement, or obligation, to the extent required  
9 under ss. 11.12 (6) (c) and (8) and 11.20 (3) and (4), the candidate or other individual  
10 or committee may be required to forfeit not more than \$500 per day for each day of  
11 continued violation.

12           **(3t)** Notwithstanding sub. (1), if any candidate or committee, other than a  
13 conduit, accepts one or more contributions, makes one or more disbursements, or  
14 incurs one or more obligations to make disbursements for the purpose of supporting  
15 or opposing a candidate for an office specified in s. 11.31 (1) (a) to (de), (e), or (f) in  
16 an amount or value that differs from the amount reported by that individual or  
17 committee under s. 11.12 (6) (c) or (8) or 11.20 (3) or (4):

18           (a) By more than 5% but not more than 10% cumulatively, the candidate or  
19 other individual or committee shall forfeit 4 times the amount or value of the  
20 difference.

21           (b) By more than 10% but not more than 15% cumulatively, the candidate or  
22 other individual or committee shall forfeit 6 times the amount or value of the  
23 difference.

1           (c) By more than 15% cumulatively, the candidate or other individual or  
2 committee shall forfeit 8 times the amount of the difference.”

3

(END)

**SENATE AMENDMENT 5,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2001 SENATE BILL 104**

January 29, 2002 - Offered by Senators PLACHE and ROBSON.

1 At the locations indicated, amend the substitute amendment as follows:

2 ✓ 1. Page 2, line 11: after "financing," insert "official action in return for  
3 providing or withholding political contributions, services, or other things of value,".

4 2. Page 2, line 14: delete "and".

5 3. Page 2, line 15: after "appropriations" insert ", and providing a penalty".

6 ✓ 4. Page 32, line 17: after that line insert:

7 "SECTION 67m. 11.25 (2) (b) of the statutes is amended to read:

8 11.25 (2) (b) Notwithstanding par. (a), a registrant may accept contributions  
9 and make disbursements from a campaign depository account for the purpose of  
10 making expenditures in connection with a campaign for national office; for payment  
11 of civil penalties incurred by the registrant under this chapter but not under any  
12 other chapter; or for payment of the expenses of nonpartisan campaigns to increase

1 voter registration or participation. Notwithstanding par. (a), a personal campaign  
2 committee or support committee may accept contributions and make disbursements  
3 from a campaign depository account for payment of inaugural expenses of an  
4 individual who is elected to state or local office. If such expenses are paid from  
5 contributions made to the campaign depository account, they are reportable under  
6 s. 11.06 (1) as disbursements. Otherwise, such expenses are not reportable under s.  
7 11.06 (1). If contributions from the campaign depository account are used for such  
8 expenses, they are subject to s. 11.26.”.

9 **5.** Page 53, line 3: after that line insert:

10 “SECTION 124b. 19.42 (3m), (4g) and (4r) of the statutes are created to read:  
11 19.42 (3m) “Candidate,” except as otherwise provided, has the meaning given  
12 in s. 11.01 (1).

13 (4g) “Clearly identified,” when used in reference to a communication  
14 containing a reference to a person, means one of the following:

15 (a) The person’s name appears.

16 (b) A photograph or drawing of the person appears.

17 (c) The identity of the person is apparent by unambiguous reference.

18 (4r) “Communication” means a message transmitted by means of a printed  
19 advertisement, billboard, handbill, sample ballot, radio or television advertisement,  
20 telephone call, or any medium that may be utilized for the purpose of disseminating  
21 or broadcasting a message, but not including a poll conducted solely for the purpose  
22 of identifying or collecting data concerning the attitudes or preferences of electors.

23 SECTION 124d. 19.45 (13) of the statutes is created to read:



1           **19.45 (13)** No state public official holding an elective office may, directly or by  
2 means of an agent, give, or offer or promise to give, or withhold, or offer or promise  
3 to withhold, his or her vote or influence, or promise to take or refrain from taking  
4 official action with respect to any proposed or pending matter in consideration of, or  
5 upon condition that, any other person make or refrain from making a political  
6 contribution, or provide or refrain from providing any service or other thing of value,  
7 to or for the benefit of a candidate, a political party, any other person who is subject  
8 to a registration requirement under s. 11.05, or any person making a communication  
9 that contains a reference to a clearly identified state public official holding an  
10 elective office or to a candidate for state public office.

11           **SECTION 124f.** 19.49 (1m) of the statutes is created to read:

12           **19.49 (1m)** No complaint alleging a violation of s. 19.45 (13) may be filed during  
13 the period beginning 120 days before a general or spring election, or during the  
14 period commencing on the date of the order of a special election under s. 8.50, and  
15 ending on the date of that election, against a candidate who files a declaration of  
16 candidacy to have his or her name appear on the ballot at that election.

17           **SECTION 124h.** 19.49 (5) of the statutes is renumbered 19.49 (5) (a) and  
18 amended to read:

19           **19.49 (5) (a)** ~~No~~ Except as provided in par. (b), no action may be taken on any  
20 complaint ~~which that~~ is filed later than 3 years after a violation of this subchapter  
21 or subch. III of ch. 13 is alleged to have occurred.

22           **SECTION 124k.** 19.49 (5) (b) of the statutes is created to read:

23           **19.49 (5) (b)** The period of limitation under par. (a) is tolled for a complaint  
24 alleging a violation of s. 19.45 (13) or 19.59 (1) (br) for the period during which such  
25 a complaint may not be filed under s. 19.49 (1m) or 19.59 (8) (cm).

1           **SECTION 124m.** 19.53 (6) of the statutes is amended to read:

2           **19.53 (6)** An order requiring the accused to forfeit not more than \$500 for each  
3 violation of s. 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of  
4 any other provision of this subchapter, or not more than the applicable amount  
5 specified in s. 13.69 for each violation of subch. III of ch. 13; ~~and, if.~~ If the board  
6 determines that the accused has realized economic gain as a result of the violation,  
7 ~~an the board may, in addition,~~ order requiring the accused to forfeit the amount  
8 gained as a result of the violation. In addition, if the board determines that a state  
9 public official has violated s. 19.45 (13), the board may order the official to forfeit an  
10 amount equal to the amount or value of any political contribution, service, or other  
11 thing of value that was wrongfully obtained. If the board determines that a state  
12 public official has violated s. 19.45 (13) and no political contribution, service or other  
13 thing of value was obtained, the board may order the official to forfeit an amount  
14 equal to the maximum contribution authorized under s. 11.26 (1) for the office held  
15 or sought by the official, whichever amount is greater. The attorney general, when  
16 so requested by the board, shall institute proceedings to recover any forfeiture  
17 incurred under this section or s. 19.545 which is not paid by the person against whom  
18 it is assessed.

19           **SECTION 124p.** 19.535 of the statutes is created to read:

20           **19.535 Direct enforcement.** If the board refuses or otherwise fails to  
21 authorize an investigation under s. 19.49 (3) with respect to a violation of s. 19.45 (13)  
22 within 30 days after receiving a verified complaint alleging a violation of s. 19.45 (13),  
23 the person making the complaint may bring an action to recover the forfeiture under  
24 s. 19.53 (6) on his or her relation in the name, and on behalf, of the state. In such  
25 actions, the court may award actual and necessary costs of prosecution, including

1 reasonable attorney fees, to the relator if he or she prevails, but any forfeiture  
2 recovered shall be paid to the state. If the court finds in any such action that the  
3 cause of action was frivolous as provided in s. 814.025, the court shall award costs  
4 and fees to the defendant under that section.

5 **SECTION 124r.** 19.59 (1) (br) of the statutes is created to read:

6 19.59 (1) (br) No local public official holding an elective office may, directly or  
7 by means of an agent, give, or offer or promise to give, or withhold, or offer or promise  
8 to withhold, his or her vote or influence, or promise to take or refrain from taking  
9 official action with respect to any proposed or pending matter in consideration of, or  
10 upon condition that, any other person make or refrain from making a political  
11 contribution, or provide or refrain from providing any service or other thing of value,  
12 to or for the benefit of a candidate, a political party, any other person who is subject  
13 to a registration requirement under s. 11.05, or any person making a communication  
14 that contains a reference to a clearly identified local public official holding an elective  
15 office or to a candidate for local public office.

16 **SECTION 124t.** 19.59 (7) of the statutes is renumbered 19.59 (7) (a) and  
17 amended to read:

18 19.59 (7) (a) Any person who violates sub. (1) may be required to forfeit not  
19 more than \$1,000 for each violation, and, if the court determines that the accused has  
20 violated sub. (1) (br), the court may, in addition, order the accused to forfeit an  
21 amount equal to the amount or value of any political contribution, service, or other  
22 thing of value that was wrongfully obtained.

23 **SECTION 124v.** 19.59 (7) (b) of the statutes is created to read:

24 19.59 (7) (b) Any person who violates sub. (1) may be required to forfeit not  
25 more than \$1,000 for each violation, and, if the court determines that a local public

1 official has violated sub. (1) (br) and no political contribution, service or other thing  
2 of value was obtained, the court may, in addition, order the accused to forfeit an  
3 amount equal to the maximum contribution authorized under s. 11.26 (1) for the  
4 office held or sought by the official, whichever amount is greater.

5 **SECTION 124x.** 19.59 (8) (c) of the statutes is amended to read:

6 19.59 (8) (c) If the district attorney fails to commence an action to enforce sub.  
7 (1) (a), (b), or (c) to (g) within 20 days after receiving a verified complaint or if the  
8 district attorney refuses to commence such an action, the person making the  
9 complaint may petition the attorney general to act upon the complaint. The attorney  
10 general may then bring an action under par. (a) or (b), or both.

11 **SECTION 124z.** 19.59 (8) (cm) and (cn) of the statutes are created to read:

12 19.59 (8) (cm) No complaint alleging a violation of sub. (1) (br) may be filed  
13 during the period beginning 120 days before a general or spring election, or during  
14 the period commencing on the date of the order of a special election under s. 8.50, and  
15 ending on the date of that election, against a candidate who files a declaration of  
16 candidacy to have his or her name appear on the ballot at that election.

17 (cn) If the district attorney refuses or otherwise fails to commence an action to  
18 enforce sub. (1) (br) within 30 days after receiving a verified complaint alleging a  
19 violation of sub. (1) (br), the person making the complaint may bring an action to  
20 recover the forfeiture under sub. (7) on his or her relation in the name, and on behalf,  
21 of the state. In such actions, the court may award actual and necessary costs of  
22 prosecution, including reasonable attorney fees, to the relator if her or she prevails,  
23 but any forfeiture recovered shall be paid to the state. If the court finds in any such

1     action that the cause of action was frivolous as provided in s. 814.025, the court shall  
2     award costs and fees to the defendant under that section.”

3

(END)

**SENATE AMENDMENT 6,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2001 SENATE BILL 104**

January 29, 2002 - Offered by Senators ELLIS, CHVALA, SCHULTZ, COWLES and SHIBILSKI.

1 At the locations indicated, amend the substitute amendment as follows:

2 ✓1. Page 2, line 23: delete that line.

3 ✓2. Page 3, line 1: delete lines 1 to 10.

4 ✓3. Page 3, line 19: delete "(b), (ba)," and substitute "(ba)".

5 ✓4. Page 4, line 7: delete "(b), (ba)," and substitute "(ba)".

6 ✓5. Page 7, line 9: delete "include the" and substitute "include".

7 ✓6. Page 7, line 10: delete lines 10 to 14 and substitute "a reference to a  
8 candidate at that election, an office to be filled at that election, or a political party  
9 in order to permit increased funding for candidates who are affected by those  
10 communications. This minimal disclosure burden is outweighed by the need to

1 establish an effective funding mechanism for affected candidates to effectively  
2 respond to communications that may impact an election.”.

3 ✓7. Page 7, line 15: delete the material beginning with that line and ending with  
4 page 8, line 8.

5 ✓8. Page 8, line 9: after that line insert:

6 “SECTION 13m. 11.01 (16) (a) 3. of the statutes is created to read:

7 11.01 (16) (a) 3. A communication that is made by means of one or more  
8 communications media, other than a communication that is exempt from reporting  
9 under s. 11.29, that is made during the period beginning on the 60th day preceding  
10 an election and ending on the date of that election and that includes a reference to  
11 a candidate whose name is certified under s. 7.08 (2) (a) or 8.50 (1) (d) to appear on  
12 the ballot at that election, a reference to an office to be filled at that election, or a  
13 reference to a political party.”.

14 ✓9. Page 16, line 23: delete lines 23 to 25.

15 ✓10. Page 17, line 1: delete lines 1 to 24.

16 ✓11. Page 18, line 1: delete lines 1 to 14.

17 ✓12. Page 22, line 22: after that line, on page 1, line 12, of the material inserted  
18 by senate amendment 3, before “without” insert “or for a purpose described in s. 11.01  
19 (16) (a) 3.”.

20 ✓13. Page 36, line 8: delete lines 8 to 11.

21 ✓14. Page 37, line 2: delete “\$120,000” and substitute “\$100,000”.

22 ✓15. Page 37, line 5: delete “\$60,000” and substitute “\$50,000”.

23 ✓16. Page 38, line 16: delete “(b) or (ba)” and substitute “(ba) or (bb)”.

SA3-1  
SAG

done  
in draft

RJM: J  
SEE SA2

1 ✓17. Page 43, line 4: delete "5%" and substitute "3%".

2 ✓18. Page 43, line 20: delete the material beginning with "Only" and ending  
3 with "percentage." on line 21 and substitute "Only the first \$100 of an aggregate  
4 contribution of more than \$100 may be counted toward the required percentage."

5 ✓19. Page 48, line 2: delete "(b), (ba)," and substitute "(ba)".

6 ✓20. Page 48, line 15: delete "(b), (ba)," and substitute "(ba)".

7 ✓21. Page 49, line 13: delete lines 13 to 25 and substitute:

8 *ccc*  
"SECTION 117m. 11.50 (9) <sup>(b)</sup>(ba) and (bb) of the statutes are created to read:"

9 ✓22. Page 50, line 1: delete lines 1 to 3.

10 ✓23. Page 50, line 4: before "(ba)" insert "11.50 (9)".

11 ✓24. Page 50, line 12: delete "independent expenditures" and substitute  
12 "disbursements".

13 ✓25. Page 50, line 13: delete "independent expenditures" and substitute  
14 "disbursements".

15 ✓26. Page 50, line 14: delete "sub. (1)" and substitute "s. 11.12 (6) (c)".

16 ✓27. Page 50, line 14: delete "20%" and substitute "10%".

17 ✓28. Page 50, line 18: delete "independent expenditures" and substitute  
18 "disbursements".

19 ✓29. Page 52, line 16: delete lines 16 to 22.

20 ✓30. Page 55, line 11: delete lines 11 to 16 and substitute:

21 "(a) Notwithstanding section 990.001 (11) of the statutes, if a court finds that  
22 all or any portion of sections 11.01 (16) (a) 3., 11.12 (6) (c), 11.26 (8m), or 11.50 (9) (bb)



1 of the statutes, as created by this act, is unconstitutional, then sections 11.01 (16) (a)  
2 3., 11.12 (6) (c), 11.26 (8m), and 11.50 (9) (bb) of the statutes, as created by this act,  
3 are void in their entirety.”

4 **31.** The treatment of the reference to “sub. (1)” in section 11.50 (9) (bb) of the  
5 statutes by this amendment supersedes the treatment of that reference by senate  
6 amendment 2.

7 (END)

CCC

**Kuesel, Jeffery**

**From:** Marchant, Robert  
**Sent:** Wednesday, January 30, 2002 5:57 PM  
**To:** Kuesel, Jeffery  
**Cc:** Gilfoy, Karen  
**Subject:** Engrossed SB-104

Karen - take care of this? **Done**  
-RM

Jeff--

After reviewing the compile and error report, I have the following comments:

1. We will need Karen to do a CCC to SA-6 in order to fix the action phrase for the creation of s. 11.50 (9) (b), (ba), and (bb). I think we need the CCC to amend Item 21 of SA-6 so that it deletes lines 14 to 25 (NOT a delete and substitute) and to delete Item 23 in its entirety. We will need to note in the engrossment information that SA-6 is included as affected by a CCC.

2. We will need to add an item to the engrossment information indicating that SA-2 affects the version of proposed s. 11.50 (9) (b) that was deleted by SA-6. As a result, the treatment from SA-2 is not included in the engrossed bill.

X 3. We will need to add an item to the engrossment information indicating that SA-2 and SA-6 affect cross-references in proposed s. 11.31 (3p) and that the engrossed bill includes the treatment from SA-6, which results in the correct punctuation. If you think this is too minor to mention, I would go along with that.

Robert J. Marchant  
Legislative Attorney  
State of Wisconsin Legislative Reference Bureau  
608-261-4454

Error No.	Introduced No.	Page No.	Line No.
1	SA6-SSA1-SB104	000007	000014
	SA6-SSA1-SB104	000007	000014
2	SA3-SSA1-SB104	000023	000016
	SA3-SSA1-SB104	000023	000016
3	SA2-SSA1-SB104	000033	000007
	SA2-SSA1-SB104	000033	000007
4	SA1-SSA1-SB104	000035	000009
	SA1-SSA1-SB104	000035	000009
5	SA2-SSA1-SB104	000037	000014
	SA2-SSA1-SB104	000037	000014
6	SA6-SSA1-SB104	000043	000021
	SA6-SSA1-SB104	000043	000021
7	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000049	000014
8	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000049	000014
9	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000049	000015
10	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000049	000016

Error No.	Introduced No.	Page No.	Line No.
11	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000049	000017
12	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000049	000018
13	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000049	000019
14	SA6-SSA1-SB104	000049	000019
	SA2-SSA1-SB104	000049	000019
15	SA3-SSA1-SB104	000049	000014
	SA2-SSA1-SB104	000049	000019
16	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000049	000020
17	SA2-SSA1-SB104	000049	000019
	SA6-SSA1-SB104	000049	000020
18	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000049	000021
19	SA2-SSA1-SB104	000049	000019
	SA6-SSA1-SB104	000049	000021
20	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000049	000022
21	SA2-SSA1-SB104	000049	000019

<b>Error No.</b>	<b>Introduced No.</b>	<b>Page No.</b>	<b>Line No.</b>
	SA6-SSA1-SB104	000049	000022
22	SA6-SSA1-SB104	000049	000022
	SA2-SSA1-SB104	000049	000022
23	SA3-SSA1-SB104	000049	000014
	SA2-SSA1-SB104	000049	000022
24	SA2-SSA1-SB104	000049	000022
	SA2-SSA1-SB104	000049	000022
25	SA3-SSA1-SB104	000049	000014
	SA2-SSA1-SB104	000049	000022
26	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000049	000023
27	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000049	000024
28	SA6-SSA1-SB104	000049	000024
	SA2-SSA1-SB104	000049	000024
29	SA3-SSA1-SB104	000049	000014
	SA2-SSA1-SB104	000049	000024
30	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000049	000025
31	SA6-SSA1-SB104	000049	000025
	SA6-SSA1-SB104	000049	000025

Error No.	Introduced No.	Page No.	Line No.
32	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000049	000025
33	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000050	000001
34	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000050	000002
35	SA6-SSA1-SB104	000050	000002
	SA2-SSA1-SB104	000050	000002
36	SA3-SSA1-SB104	000049	000014
	SA2-SSA1-SB104	000050	000002
37	SA2-SSA1-SB104	000050	000002
	SA2-SSA1-SB104	000050	000002
38	SA3-SSA1-SB104	000049	000014
	SA2-SSA1-SB104	000050	000002
39	SA3-SSA1-SB104	000049	000014
	SA6-SSA1-SB104	000050	000003
40	SA2-SSA1-SB104	000050	000002
	SA6-SSA1-SB104	000050	000003
41	SA6-SSA1-SB104	000050	000003
	SA3-SSA1-SB104	000050	000003

<b>Error No.</b>	<b>Introduced No.</b>	<b>Page No.</b>	<b>Line No.</b>
42	SA2-SSA1-SB104	000050	000002
	SA3-SSA1-SB104	000050	000003
43	SA3-SSA1-SB104	000050	000003
	SA2-SSA1-SB104	000050	000003
44	SA2-SSA1-SB104	000050	000003
	SA2-SSA1-SB104	000050	000003
45	SA2-SSA1-SB104	000050	000003
	SA3-SSA1-SB104	000050	000003
46	SA2-SSA1-SB104	000050	000011
	SA2-SSA1-SB104	000050	000011
47	SA2-SSA1-SB104	000050	000012
	SA6-SSA1-SB104	000050	000012
48	SA2-SSA1-SB104	000050	000013
	SA6-SSA1-SB104	000050	000013
49	SA6-SSA1-SB104	000050	000014
	SA6-SSA1-SB104	000050	000014
50	SA6-SSA1-SB104	000050	000014
	SA2-SSA1-SB104	000050	000014
51	SA2-SSA1-SB104	000050	000015
	SA2-SSA1-SB104	000050	000015
52	SA2-SSA1-SB104	000050	000015

<b>Error No.</b>	<b>Introduced No.</b>	<b>Page No.</b>	<b>Line No.</b>
	SA2-SSA1-SB104	000050	000015
53	SA2-SSA1-SB104	000050	000015
	SA2-SSA1-SB104	000050	000015
54	SA2-SSA1-SB104	000050	000016
	SA2-SSA1-SB104	000050	000016
55	SA6-SSA1-SB104	000055	000016
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37	SA6-SSA1-SB104	18	1	
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54G	SA3-SSA1-SB104	27	14	
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117	SA3-SSA1-SB104	49	14	
117	SA6-SSA1-SB104	49	13	
117	SA2-SSA1-SB104	49	19	Could not find pattern match.
117	SA6-SSA1-SB104	49	13	
117	SA2-SSA1-SB104	49	19	
117	SA6-SSA1-SB104	49	13	
117	SA2-SSA1-SB104	49	19	Could not find pattern match.
117	SA6-SSA1-SB104	49	13	
117	SA2-SSA1-SB104	49	24	Could not find pattern match.
117	SA6-SSA1-SB104	49	13	
117M	SA6-SSA1-SB104	49	13	
117M	SA6-SSA1-SB104	50	1	
117M	SA6-SSA1-SB104	50	1	
117M	SA2-SSA1-SB104	50	2	Could not find pattern match.
117M	SA6-SSA1-SB104	50	1	
117M	SA3-SSA1-SB104	49	14	
117M	SA2-SSA1-SB104	50	2	Could not find pattern match.
117M	SA3-SSA1-SB104	49	14	
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Thu 1-31 ASAP

DW8TE

# ENGROSSED 2001 SENATE BILL 104

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January 30, 2002 - Printed by direction of SENATE CHIEF CLERK.

Sen. Cat

1 **AN ACT to repeal** 11.01 (12s), 11.05 (3) (o), 11.26 (9) (c), 11.265, 11.31 (2m), 11.50  
2 (2) (h), 11.50 (2) (f) and 11.50 (3); **to renumber** 11.05 (2r) (title), 11.24 (2), 11.50  
3 (1) (a) 1. and 11.50 (1) (a) 2.; **to renumber and amend** 11.05 (1), 11.05 (2), 11.05  
4 (2r), 11.12 (6), 11.26 (9) (a), 11.26 (9) (b), 11.50 (9), 19.49 (5) and 19.59 (7); **to**  
5 **amend** 5.02 (13), 7.08 (2) (c) and (cm), 8.10 (3) (intro.), 8.15 (6) (intro.), 8.20 (4),  
6 8.30 (2), 8.35 (4) (a) 1. a. and b., 8.35 (4) (c) and (d), 11.05 (3) (c), 11.05 (5), 11.05  
7 (12) (b), 11.05 (13), 11.06 (1) (intro.), 11.06 (1) (e), 11.06 (2), 11.06 (4) (b), 11.06  
8 (5), 11.06 (7m) (a), 11.06 (7m) (c), 11.06 (11) (c), 11.07 (1), 11.07 (5), 11.09 (3),  
9 11.10 (1), 11.12 (2), 11.12 (4), 11.12 (5), 11.14 (3), 11.16 (2), 11.16 (5), 11.19 (title),  
10 11.19 (1), 11.20 (1), 11.20 (7), 11.20 (9), 11.20 (10) (a), 11.20 (12), 11.21 (2), 11.21  
11 (15), 11.21 (16), 11.22 (3), 11.23 (1), 11.23 (2), 11.25 (2) (b), 11.26 (1) (intro.), 11.26  
12 (2) (intro.), 11.26 (2) (a), 11.26 (4), 11.26 (8), 11.26 (10), 11.26 (12m), 11.31 (1)  
13 (intro.), 11.31 (1) (a) to (d), 11.31 (1) (e) and (f), 11.31 (2), 11.31 (3), 11.38 (1) (a)  
14 2., 11.38 (6), 11.38 (8) (b), 11.50 (2) (a), 11.50 (2) (b) 5., 11.50 (2) (c), 11.50 (2) (g),

**ENGROSSED SENATE BILL 104**

1 11.50 (5), 11.50 (6), 11.50 (9) (title), 11.50 (11) (a), 11.50 (11) (e), 11.60 (4), 11.61  
2 (1) (a), 19.53 (6), 19.59 (8) (c), 20.510 (1) (q), 25.42, 71.10 (3) (a) and 71.10 (3) (b);  
3 **to repeal and recreate** 11.05 (9) (title) and 11.50 (4); and **to create** 7.08 (2)  
4 (cs), 11.001 (2m), 11.01 (16) (a) 3., 11.05 (1) (b), 11.05 (2) (b), 11.05 (3) (m), 11.05  
5 (3) (r), 11.06 (2m) (b) to (d), 11.12 (2m), 11.12 (6) (c) and (d), 11.12 (8) and (9),  
6 11.20 (2s), 11.20 (2t), 11.24 (1w), 11.24 (4), 11.26 (2) (ad) to (au), 11.26 (8m), 11.26  
7 (9) (a) 1. to 7., 11.26 (9) (b) 1. to 7., 11.31 (1) (de), 11.31 (1m), 11.31 (3p), 11.31  
8 (9), 11.50 (1) (a) 1. (intro.), 11.50 (1) (a) 2m., 11.50 (1) (am), 11.50 (1) (bm) and  
9 (cm), 11.50 (2) (j), 11.50 (2m), 11.50 (2s), 11.50 (2w), 11.50 (4m), 11.50 (9) (ba)  
10 and (bb), 11.50 (14), 11.60 (3s) and (3t), 13.625 (3m), 19.42 (3m), (4g) and (4r),  
11 19.45 (13), 19.49 (1m), 19.49 (5) (b), 19.535, 19.59 (1) (br), 19.59 (7) (b), 19.59 (8)  
12 (cm) and (cn), 20.855 (4) (ba) and 806.04 (11m) of the statutes; **relating to:**  
13 campaign financing, official action in return for providing or withholding  
14 political contributions, services, or other things of value, lobbying regulation,  
15 designations for the Wisconsin election campaign fund by individuals filing  
16 state income tax returns, staffing of the elections board, providing exemptions  
17 from emergency rule procedures, granting rule-making authority, making  
18 appropriations, and providing penalties.

*Analysis by the Legislative Reference Bureau*

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

19 **SECTION 1.** 5.02 (13) of the statutes is amended to read:

**ENGROSSED SENATE BILL 104**

1           5.02 (13) "Political party" or "party" means a state committee registered under  
2 s. 11.05 and organized exclusively for political purposes under whose name  
3 candidates appear on a ballot at any election, and all county, congressional,  
4 legislative, local and other affiliated committees authorized to operate under the  
5 same name. For purposes of ch. 11, the term does not include a legislative campaign  
6 ~~committee or a committee filing an oath under s. 11.06 (7).~~

7           **SECTION 3.** 7.08 (2) (c) and (cm) of the statutes are amended to read:

8           7.08 (2) (c) As soon as possible after the canvass of the spring and September  
9 primary votes, but no later than the first Tuesday in March and the 4th Tuesday in  
10 September, transmit to the state treasurer a certified list of all eligible candidates  
11 for state office who have filed applications under s. 11.50 (2) and ~~whom~~ who the board  
12 determines ~~to be~~ are eligible to receive payments from the Wisconsin election  
13 campaign fund. The board shall also electronically transmit a similar list of  
14 candidates who the board determines are eligible to receive a grant under s. 11.50  
15 (9) (ba) or (bb) within 24 hours after any candidate qualifies to receive such a grant.  
16 Each list shall contain each candidate's name, the mailing address indicated upon  
17 the candidate's registration form, the office for which the individual is a candidate  
18 and the party or principle which he or she represents, if any.

19           (cm) As soon as possible after the canvass of a special primary, or the date that  
20 the primary would be held, if required, transmit to the state treasurer a certified list  
21 of all eligible candidates for state office who have filed applications under s. 11.50 (2)  
22 and ~~whom~~ who the board determines ~~to be~~ are eligible to receive a grant from the  
23 Wisconsin election campaign fund prior to the election. The board shall also transmit  
24 a similar list of candidates, if any, who have filed applications under s. 11.50 (2) and  
25 ~~whom~~ who the board determines ~~to be~~ are eligible to receive a grant under s. 11.50

**ENGROSSED SENATE BILL 104****SECTION 3**

1 (1) (a) 2. after the special election. The board shall electronically transmit a similar  
2 list of candidates who the board determines are eligible to receive a grant under s.  
3 11.50 (9) (ba) or (bb) within 24 hours after any candidate qualifies to receive such a  
4 grant. Each list shall contain each candidate's name, the mailing address indicated  
5 upon the candidate's registration form, the office for which the individual is a  
6 candidate and the party or principle which he or she represents, if any.

7 **SECTION 4.** 7.08 (2) (cs) of the statutes is created to read:

8 7.08 (2) (cs) In each even-numbered year, certify to the state treasurer for the  
9 period beginning with the month following certification and ending with the month  
10 in which the next certification is made by the board:

11 1. No later than July 1, the name of each political party that qualifies under  
12 s. 11.50 (1) (am) 1. as an eligible political party as of the preceding June 1 and whose  
13 state chairperson has filed a request to establish an account for the party under s.  
14 11.50 (2s) (a).

15 2. No later than December 15, the name of each political party that qualifies  
16 under s. 11.50 (1) (am) 2. as an eligible political party as of the date of the preceding  
17 general election and whose state chairperson has filed a written request to establish  
18 an account for the party under s. 11.50 (2s) (a).

19 **SECTION 5.** 8.10 (3) (intro.) of the statutes is amended to read:

20 8.10 (3) (intro.) The certification of a qualified elector under s. 8.15 (4) (a) shall  
21 be appended to each nomination paper. The Except as otherwise required under s.  
22 11.50 (4m) for a candidate who seeks a grant from the Wisconsin election campaign  
23 fund, the number of required signatures on nomination papers filed under this  
24 section is:

25 **SECTION 6.** 8.15 (6) (intro.) of the statutes is amended to read:



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1           8.15 (6) (intro.) The Except as otherwise required under s. 11.50 (4m) for a  
2 candidate who seeks a grant from the Wisconsin election campaign fund, the number  
3 of required signatures on nomination papers shall be as follows:

4           **SECTION 7.** 8.20 (4) of the statutes is amended to read:

5           8.20 (4) The Except as otherwise required under s. 11.50 (4m) for a candidate  
6 who seeks a grant from the Wisconsin election campaign fund, the number of  
7 required signatures on nomination papers for independent candidates shall be the  
8 same as the number specified in s. 8.15 (6). For independent presidential electors  
9 intending to vote for the same candidates for president and vice president, the  
10 number of required signatures shall be not less than 2,000 nor more than 4,000  
11 electors.

12           **SECTION 8.** 8.30 (2) of the statutes is amended to read:

13           8.30 (2) If no registration statement has been filed by or on behalf of a candidate  
14 for state or local office in accordance with s. 11.05 (2g) ~~or (2r)~~ by the applicable  
15 deadline for filing nomination papers by ~~such~~ the candidate, or the deadline for filing  
16 a declaration of candidacy for an office for which nomination papers are not filed, the  
17 name of the candidate may not appear on the ballot. This subsection may not be  
18 construed to exempt a candidate from applicable penalties if he or she files a  
19 registration statement later than the time prescribed in ss. 11.01 (1) and 11.05 (2g).

20           **SECTION 9.** 8.35 (4) (a) 1. a. and b. of the statutes are amended to read:

21           8.35 (4) (a) 1. a. ~~Donated to the former candidate's local or state political party~~  
22 ~~if~~ If the former candidate was a partisan candidate or, donated to the former  
23 candidate's local or state political party, donated to the a charitable organization of  
24 the former candidate's choice or the charitable organization chosen or transferred to  
25 the board for deposit in the Wisconsin election campaign fund, as instructed by the

**ENGROSSED SENATE BILL 104****SECTION 9**

1 former candidate or, if the candidate left no instruction, by the former candidate's  
2 next of kin ~~if the former candidate is deceased, or if no choice is made returned to the~~  
3 ~~donors on a proportional basis; or~~

4 b. If the former candidate was a nonpartisan candidate, donated to ~~the a~~  
5 charitable organization ~~of the former candidate's choice or the charitable~~  
6 ~~organization chosen~~ or transferred to the board for deposit in the Wisconsin election  
7 campaign fund, as instructed by the former candidate or, if the candidate left no  
8 instruction, by the former candidate's next of kin ~~if the former candidate is deceased;~~  
9 or

10 **SECTION 10.** 8.35 (4) (c) and (d) of the statutes are amended to read:

11 8.35 (4) (c) The transfer to the replacement candidate under par. (b) shall be  
12 made and reported to the appropriate filing officer ~~in a special report submitted by~~  
13 the former candidate's campaign treasurer. If the former candidate is deceased and  
14 was serving as his or her own campaign treasurer, the former candidate's petitioner  
15 or personal representative shall ~~file the report and make the transfer required by~~  
16 ~~par. (b), if any~~ and file the report. The report shall be made in the manner provided  
17 under s. 11.21 (16), if applicable, or otherwise at the appropriate interval under s.  
18 11.20 (2) or (4) and shall include a complete statement of all contributions,  
19 disbursements and incurred obligations pursuant to s. 11.06 (1) covering the period  
20 from the day after the last date covered on the former candidate's most recent report  
21 to the date of disposition.

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