

2001 DRAFTING REQUEST

Bill

Received: **03/08/2001**

Received By: **kuesejt**

Wanted: **As time permits**

Identical to LRB:

For: **Carol Roessler (608) 266-5300**

By/Representing: **Melissa**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters: **kuesejt**

Subject: **Elections - miscellaneous**

Extra Copies:

Submit via email: **NO**

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Pre Topic:

No specific pre topic given

Topic:

Nomination of candidates for the office of lieutenant governor

Instructions:

Per 1999 LRB-2226/2.

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 03/09/2001 kuesejt 03/12/2001	gilfokm 03/12/2001		_____			
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FE Sent For:

↳ Not Needed

<END>

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1?	rmarchan	1-3/ King 12-01	2/3/13	26/3/13			

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Due

Wed. 3-14

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1999 BILL

LPS: Proof all amended stats. w/FOLIO

(regenerate)

1 **AN ACT** to repeal 8.15 (8) (intro.); to amend 5.62 (1) (a), 7.38 (3) (a), 7.70 (3) (d),
 2 8.15 (4) (b), 8.15 (8) (a), 8.15 (8) (b), 8.16 (1), 8.16 (6), 8.21, 8.30 (2), 8.35 (1), 8.35
 3 (2) (a), 8.35 (2) (b), 8.35 (4) (a) 1. (intro.), 8.35 (4) (b), 11.05 (3m), 11.50 (1) (a) 1.,
 4 11.50 (2) (a), 11.50 (2) (b) 2., 11.50 (2) (b) 4., 11.50 (2) (b) 5., 19.42 (4) and 19.43
 5 (4); and to create 8.03 (2g) and 8.15 (1m) of the statutes; relating to:
 6 nominating major party candidates for the office of lieutenant governor and
 7 filling vacancies in certain nominations.

Analysis by the Legislative Reference Bureau

Under current law, a candidate for the nomination of a major party (a party which is entitled by law to a separate ballot or column on the ballot) for the office of lieutenant governor may file nomination papers at the same time as candidates for other state partisan offices. At the September primary, electors may vote for a candidate for the office of lieutenant governor separately from candidates for other offices within their preferred party. The winning candidate for the office of lieutenant governor within each party at the primary is then placed on the ballot at the general election, along with the party's winning candidate for the office of governor. The electors voting at the general election then cast one vote for the offices of governor and lieutenant governor, jointly. A candidate for the office of lieutenant governor must receive at least 6% of the vote cast on all ballots for all candidates for

6%
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that office in the September primary to qualify for a grant from the Wisconsin election campaign fund. Minor party or independent candidates for the offices of governor and lieutenant governor may file ~~joint~~ nomination papers and appear on the primary and general election ballots in the same manner as major party candidates.

This bill changes the procedure for nominating a major party candidate for the office of lieutenant governor. Under this bill, a major party candidate for the office of lieutenant governor does not file nomination papers and does not appear on the primary ballot. Rather, each major party candidate for the office of governor must certify the name of a candidate for the office of lieutenant governor within ~~2~~ days after official certification of the gubernatorial candidate's nomination at the September primary. The certified candidate for the office of lieutenant governor then has ~~2~~ days after receipt of the certification to file a declaration of candidacy, a statement of economic interests and, if the candidate has not already done so, a financial registration. The certified candidate for the office of lieutenant governor ~~then is~~ placed on the general election ballot along with the gubernatorial candidate who certified his or her name. For purposes of qualifying for a grant from the Wisconsin election campaign fund, a major party candidate for the office of lieutenant governor is considered to receive the same percentage of the September primary vote as the candidate for the office of governor who certifies his or her name. In addition, contributions received by the candidate for the office of governor in excess of those needed for the candidate for the office of governor to qualify for a grant may be used to qualify the candidate for the office of lieutenant governor for a grant. Minor party and independent candidates for the office of lieutenant governor continue to be nominated on nomination papers and appear on the primary ballot as currently provided.

Currently, a person who files nomination papers and qualifies to appear on the ballot may not decline nomination. However, if a candidate dies before the election, the chairperson of the state party committee, the chairperson of the county party committee, or the former candidate's personal campaign committee generally may nominate a person to fill the vacancy in nomination, depending upon the former candidate's party affiliation and the office for which the candidate was nominated. This bill allows a major party candidate for the office of lieutenant governor who is also nominated for another elective office to decline one of the nominations. In addition, this bill utilizes the existing procedure for filling a vacancy in nomination caused by the death of a candidate to fill a vacancy in nomination caused by a major party candidate for the office of lieutenant governor declining a nomination.

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

SECTION 1. 5.62 (1) (a) of the statutes is amended to read:

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except as authorized in s. 5.655

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COMMENT

1 5.62 (1) (a) At September primaries, the following ballot shall be provided for
 2 the nomination of candidates of recognized political parties for national, state and
 3 county offices, and for state offices, except the office of lieutenant governor, and for
 4 independent candidates for state office in each ward, in the same form as prescribed
 5 by the board under s. 7.08 (1) (a). The ballots shall be made up of the several party
 6 tickets with each party entitled to participate in the primary under par. (b) or sub.
 7 (2) having its own ballot. The independent candidates for state office other than
 8 district attorney shall have a separate ballot for all such candidates as under s. 5.64
 9 (1) (e). The ballots shall be secured together at the bottom. The party ballot of the
 10 party receiving the most votes for president or governor at the last general election
 11 shall be on top with the other parties arranged in descending order based on their
 12 vote for president or governor at the last general election. The ballots of parties
 13 qualifying under sub. (2) shall be placed after the parties qualifying under par. (b),
 14 in the same order in which the parties filed petitions with the board. The ballot
 15 listing the independent candidates shall be placed at the bottom. At polling places
 16 where voting machines are used, each party and the independent candidates shall
 17 be represented in one or more separate columns or rows on the ballot. At polling
 18 places where an electronic voting system is used other than an electronic voting
 19 machine, each party and the independent candidates may be represented in separate
 20 columns or rows on the ballot.

Any ballot required under par. (b) 2 shall be placed next in order.

3
(1)

SECTION 2. 7.38 (3) (a) of the statutes is amended to read:

22 7.38 (3) (a) Except as provided in par. (b), after the death of a candidate
 23 nominated for a partisan office, either in a primary or when no primary is required
 24 under s. 8.50 (3) (b), or after a candidate declines nomination under s. 8.03 (2g), the
 25 vacancy may be filled by the candidate's political party. In the case of county offices,

sub. (4)

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1 the vacancy shall be filled by the chairperson of the county committee. If no county
 2 committee exists, the vacancy shall be filled by the chairperson of the state
 3 committee. For other offices, the vacancy shall be filled by the chairperson of the
 4 state committee. The appropriate chairperson shall file with the official or agency
 5 with whom nomination papers are filed for the office or, if nomination papers are not
 6 required, with the official or agency with whom a declaration of candidacy is filed for
 7 the office a certificate signed, certified and sworn to the same as an original
 8 nomination paper. The certificate shall state the cause of the vacancy, the name of
 9 the new nominee and the office for which the nomination is made. ~~A~~ Except as
 10 authorized under s. 8.16 (6), a political party may not nominate a candidate for an
 11 office for which no person representing that party has filed nomination papers and
 12 a declaration of candidacy.

or the chairperson's designee

13 **SECTION 3.** 7.70 (3) (d) of the statutes is amended to read:

14 7.70 (3) (d) When the certified statements and returns are received, the
 15 chairperson of the board shall proceed to examine and make a statement of the total
 16 number of votes cast at any election for the offices involved in the election for
 17 president and vice president; a statement for each of the offices office of governor,
 18 ~~lieutenant governor~~, if a primary, and a joint statement for the offices of governor and
 19 lieutenant governor, if a general election; a statement for each of the offices of
 20 secretary of state, state treasurer, attorney general, and state superintendent; for
 21 U.S. senator; representative in congress for each congressional district; the state
 22 legislature; justice; court of appeals judge; circuit judge; district attorney; ~~municipal~~
 23 ~~judge, if he or she is elected under s. 755.01 (4)~~ metropolitan sewerage commission,
 24 if the commissioners are elected under s. ~~66.23 (11) (am)~~; and for any referenda
 25 questions submitted by the legislature.

200.09(11) (am)

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1 **SECTION 4.** 8.03 (2g) of the statutes is created to read:

2 8.03 (2g) Subsection (1) shall not apply when a candidate whose name is
3 certified for placement on the general election ballot as a candidate for the office of
4 lieutenant governor under s. 8.16 (6) is nominated for another elective office to be
5 filled at the general election. No later than the deadline for filing a declaration of
6 candidacy under s. 8.16 (6), a candidate who is nominated under s. 8.16 (6) shall file
7 a written statement specifying the office that the candidate ^{chooses} ~~prefers~~. The candidate
8 shall file the written statement with the same person with whom he or she is required
9 to file a declaration of candidacy for the office. The filing officer shall place the
10 candidate's name on the ballot under the office chosen by the candidate in the written
11 statement and may not permit the candidate's name to appear on the ballot more
12 than once. The vacancy in nomination for the office that the candidate does not
13 choose may then be filled under s. 8.35.

14 **SECTION 5.** 8.15 (1m) of the statutes is created to read:

15 8.15 (1m) No nomination papers may be filed under this section for the office
16 of lieutenant governor.

17 **SECTION 6.** 8.15 (4) (b) of the statutes is amended to read:

18 8.15 (4) (b) Nomination papers shall be accompanied by a declaration of
19 candidacy under s. 8.21. If a candidate for state or local office has not filed a
20 registration statement under s. 11.05 at the time he or she files nomination papers,
21 the candidate shall file the statement with the papers. ~~A~~ Except as otherwise
22 provided in this paragraph, a candidate for state office shall also file a statement of
23 economic interests with the ethics board under s. 19.43 (4) no later than 4:30 p.m.
24 on the 3rd day following the last day for filing nomination papers under sub. (1), or
25 no later than 4:30 p.m. on the next business day after the last day whenever that

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1 candidate is granted an extension of time for filing nomination papers under sub. (1).
2 A candidate for the office of lieutenant governor whose name is certified for
3 placement on the general election ballot by a candidate for the office of governor
4 under s. 8.16 (6) shall file a statement of economic interests no later than the time
5 provided under s. 8.16 (6) for filing a statement of economic interests.

6 **SECTION 7.** 8.15 (8) (intro.) of the statutes is repealed.

7 **SECTION 8.** 8.15 (8) (a) of the statutes is amended to read:

8 8.15 (8) (a) ~~For~~ Nomination papers required for state offices and the offices of
9 U.S. senator and representative in congress, shall be filed in the office of the board.

10 **SECTION 9.** 8.15 (8) (b) of the statutes is amended to read:

11 8.15 (8) (b) ~~For~~ Nomination papers required for county offices, shall be filed in
12 the office of the county clerk or board of election commissioners.

13 **SECTION 10.** 8.16 (1) of the statutes is amended to read:

14 8.16 (1) Except as provided in sub. ~~(2)~~ subs. (2) and (6), the person who receives
15 the greatest number of votes for an office on a party ballot at any partisan primary,
16 regardless of whether the person's name appears on the ballot, shall be the party's
17 candidate for the office, and the person's name shall so appear on the official ballot
18 at the next election. All independent candidates shall appear on the general election
19 ballot regardless of the number of votes received by such candidates at the
20 September primary.

21 **SECTION 11.** 8.16 (6) of the statutes is amended to read:

22 8.16 (6) ~~The persons who receive the greatest number of votes respectively for~~
23 ~~the offices of governor and lieutenant governor on any party ballot at a primary~~ No
24 later than 2 days after certification of the nomination of the candidate of each
25 recognized political party for the office of governor under s. 7.70 (3) (g), each

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1 candidate so nominated shall certify to the board in writing the name of a candidate
 2 of the same party for the office of lieutenant governor and shall notify the candidate
 3 for the office of lieutenant governor in writing of the certification. The candidate for
 4 the office of lieutenant governor shall file a declaration of candidacy under s. 8.21 and
 5 a statement of economic interests under s. 19.43 (4) no later than 3 days after receipt
 6 of the notification. The candidate for the office of lieutenant governor shall file a
 7 registration statement under s. 11.05 no later than 3 days after receipt of the
 8 notification, unless the candidate has already filed a registration statement. The
 9 candidate for the office of governor certified under s. 7.70 (3) (g) and the candidate
 10 for the office of lieutenant governor certified under this subsection shall be the
 11 party's joint candidates for the offices of governor and lieutenant governor, and their
 12 names shall so appear on the official ballot at the next election.

13 **SECTION 12.** 8.21 of the statutes is amended to read:

14 **8.21 Declaration of candidacy.** Each candidate, except a candidate for
 15 presidential elector under s. 8.20 (2) (d), shall file a declaration of candidacy, no later
 16 than the latest time provided for filing nomination papers under s. 8.10 (2) (a), 8.15
 17 (1), ~~8.17 (2)~~ 8.20 (8) (a) or 8.50 (3) (a), or the time provided under s. 8.16 (2) or 8.35
 18 (2) (c) or, in the case of a candidate for the office of lieutenant governor whose name
 19 is certified for placement on the general election ballot by a candidate for the office
 20 of governor under s. 8.16 (6), the time provided under s. 8.16 (6) for filing a
 21 declaration of candidacy. A candidate shall file the declaration with the officer or
 22 agency with which nomination papers are filed for the office which the candidate
 23 seeks, or if nomination papers are not required, with the clerk or board of election
 24 commissioners of the jurisdiction in which the candidate seeks office. The
 25 declaration shall be sworn to before any officer authorized to administer oaths. The

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1 declaration shall contain the name of the candidate in the form specified under s.
2 8.10 (2) (b) for candidates for nonpartisan office or s. 8.15 (5) (a) or 8.20 (2) (a) for
3 candidates for partisan office, and shall state that the signer is a candidate for a
4 named office, that he or she meets or will at the time he or she assumes office meet
5 applicable age, citizenship, residency or voting qualification requirements, if any,
6 prescribed by the constitutions and laws of the United States and of this state, and
7 that he or she will otherwise qualify for office if nominated and elected. The
8 declaration shall include the candidate's name in the form in which it will appear on
9 the ballot. Each candidate for state and local office shall include in the declaration
10 a statement that he or she has not been convicted of any infamous crime for which
11 he or she has not been pardoned and a list of all felony convictions for which he or
12 she has not been pardoned. In addition, each candidate for state or local office shall
13 include in the declaration a statement that discloses his or her municipality of
14 residence for voting purposes, and the street and number, if any, on which the
15 candidate resides. The declaration is valid with or without the seal of the officer who
16 administers the oath. A candidate for state or local office shall file an amended
17 declaration under oath with the same officer or agency if any information contained
18 in the declaration changes at any time after the original declaration is filed and
19 before the candidate assumes office or is defeated for election or nomination.

20 **SECTION 13.** 8.30 (2) of the statutes is amended to read:

21 8.30 (2) If no registration statement has been filed by or on behalf of a candidate
22 for state or local office in accordance with s. 11.05 (2g) or ~~(2r)~~ by the applicable
23 deadline for filing nomination papers by such candidate, ~~or by~~ the deadline for filing
24 a declaration of candidacy for an office for which nomination papers are not filed ~~or~~
25 in the case of a candidate for the office of lieutenant governor whose name is certified

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1 for placement on the general election ballot by a candidate for the office of governor
 2 under s. 8.16, by the deadline provided under s. 8.16 (6) for filing a registration
 3 statement, the name of the candidate may not appear on the ballot. This subsection
 4 may not be construed to exempt a candidate from applicable penalties if he or she
 5 files a registration statement later than the time prescribed in ss. 11.01 (1) and 11.05
 6 (2g).

7 **SECTION 14.** 8.35 (1) of the statutes is amended to read:

8 8.35 (1) Any Except as provided under s. 8.03 (2g), any person who files
 9 nomination papers and qualifies to appear on the ballot may not decline nomination.
 10 The name of that person shall appear upon the ballot except in case of death of the
 11 person or in the case of a person who declines nomination under s. 8.03 (2g). A person
 12 who is appointed to fill a vacancy in nomination or who is nominated by write-in
 13 votes is deemed to decline nomination if he or she fails to file a declaration of
 14 candidacy within the time prescribed under sub. (2) (c) or s. 8.16 (2).

15 **SECTION 15.** 8.35 (2) (a) of the statutes is amended to read:

16 8.35 (2) (a) If a vacancy occurs after nomination due to the death of a candidate
 17 of a recognized political party for a partisan office ~~other than party committeeman~~
 18 ~~or committeewoman, or due to the declination of a candidate of a recognized political~~
 19 party under s. 8.03 (2g), the vacancy may be filled by the chairperson of the
 20 committee of the proper political party under s. 7.38 (3), or the personal campaign
 21 committee, if any, in the case of independent candidates. Similar vacancies in
 22 nominations of candidates for nonpartisan local offices may be filled by the
 23 candidate's personal campaign committee or, if the candidate had none, by the body
 24 which governs the local governmental unit in which the deceased person was a
 25 candidate for office. The chairperson, chief officer of the committee, or clerk of the

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1 body making an appointment shall file a certificate of appointment with the official
2 or agency with whom declarations of candidacy for the office are filed. For purposes
3 of this paragraph, the official or agency need not recognize members of a personal
4 campaign committee whose names were not filed under s. 11.05 prior to the death
5 of the candidate.

6 **SECTION 16.** 8.35 (2) (b) of the statutes is amended to read:

7 8.35 (2) (b) If a vacancy in nomination occurs due to the death of a candidate
8 or due to the declination of a candidate under s. 8.03 (2g), the officer or agency with
9 whom nomination papers are filed for the office shall promptly notify the
10 chairperson, committee or body, if any, that the vacancy may be filled within 4 days
11 of the date of the notice, as shown by the postmark if the notice is mailed. The
12 chairperson, committee or body may file a sworn certificate of nomination with the
13 official or agency within the 4-day period.

14 **SECTION 17.** 8.35 (4) (a) 1. (intro.) of the statutes is amended to read:

15 8.35 (4) (a) 1. (intro.) When a candidate is appointed under this section to fill
16 a vacancy ~~under this section~~ caused by the death of a candidate, the funds remaining
17 in the former candidate's depository after payment of the former candidate's lawful
18 campaign debts, if any, shall be:

19 **SECTION 18.** 8.35 (4) (b) of the statutes is amended to read:

20 8.35 (4) (b) Notwithstanding par. (a), any unspent and unencumbered moneys
21 received by a deceased candidate from the Wisconsin election campaign fund shall
22 be immediately transferred to any candidate who is appointed to replace such
23 candidate, upon filing of a proper application therefor under s. 11.50 (2). If there is
24 no candidate appointed or if no proper application is filed within 7 days of the date

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1 on which the vacancy occurs, such moneys shall revert to the state as provided in s.
2 11.50 (8).

3 **SECTION 19.** 11.05 (3m) of the statutes is amended to read:

4 11.05 (3m) VACANCIES IN NOMINATION. Any personal campaign committee of an
5 independent candidate for partisan office or a candidate for nonpartisan county or
6 municipal office may file with its registration statement a list of the members of the
7 committee, in addition to those specified in sub. (3) (e) and (f), who shall be recognized
8 by the official or agency with whom the candidate's nomination papers are filed for
9 the purpose of filling a vacancy in nomination in the event of the candidate's death
10 that the candidate declines nomination under s. 8.03 (2g) or dies. The board shall
11 provide a place on the statement for such designations.

12 **SECTION 20.** 11.50 (1) (a) 1. of the statutes is amended to read:

13 11.50 (1) (a) 1. With respect to a spring or general election, any individual who
14 is certified under s. 7.08 (2) (a) as a candidate in the spring election for justice or state
15 superintendent, or an individual who receives at least 6% of the vote cast for all
16 candidates on all ballots for any state office, except district attorney, for which the
17 individual is a candidate at the September primary and who is certified under s. 7.08
18 (2) (a) as a candidate for that office in the general election, or an individual who has
19 been lawfully appointed and certified to replace either such individual on the ballot
20 at the spring or general election; and who has qualified for a grant under sub. (2).
21 For purposes of this subdivision, a candidate for the office of lieutenant governor
22 whose name is certified for placement on the general election ballot by a candidate
23 for the office of governor under s. 8.16 (6) is considered to receive the same percentage
24 of the September primary vote as the candidate for the office of governor certifying
25 his or her name.

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

2 11.50 (2) (a) Any individual who desires to qualify as an eligible candidate may
3 file an application with the board requesting approval to participate in the fund. The
4 application shall be filed no later than the applicable deadline for filing nomination
5 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.
6 on the 7th day after the primary or date on which the primary would be held if
7 required in the case of write-in candidates and candidates for the office of lieutenant
8 governor whose names are certified for placement on the general election ballot by
9 a candidate for the office of governor under s. 8.16 (6), or no later than 4:30 p.m. on
10 the 7th day after appointment in the case of candidates appointed to fill vacancies.
11 The application shall contain a sworn statement that the candidate and his or her
12 authorized agents have complied with the contribution limitations prescribed in s.
13 11.26 and the disbursement limitations prescribed under s. 11.31 at all times to
14 which such limitations have applied to his or her candidacy and will continue to
15 comply with the limitations at all times to which the limitations apply to his or her
16 candidacy for the office in contest, unless the board determines that the candidate
17 is not eligible to receive a grant, the candidate withdraws his or her application
18 under par. (h), or par. (i) applies.

19 ~~**SECTION 22.** 11.50 (2) (b) 2. of the statutes is amended to read:~~

20 ~~11.50 (2) (b) 2. The candidate is certified under s. 7.08 (2) (a), 8.16 (6) or 8.50~~
21 ~~(1) (d) to appear upon the spring or general election or a special election ballot;~~

22 **SECTION 23.** 11.50 (2) (b) 4. of the statutes is amended to read:

23 11.50 (2) (b) 4. ~~The~~ All financial reports filed by or on behalf of the candidate
24 as of the date of the spring or September primary, or the date that the special primary

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1 is or would be held, if required, indicate that his or her statement filed with the
2 application under par. (a) is true; and

3 **SECTION 24.** 11.50 (2) (b) 5. of the statutes is amended to read:

4 11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as
5 of the date of the spring or September primary, or the date that the special primary
6 is or would be held, if required, indicate that the candidate has received at least the
7 amount provided in this subdivision, from contributions of money, other than loans,
8 made by individuals, which have been received during the period ending on the date
9 of the spring primary and July 1 preceding such date in the case of candidates at the
10 spring election, or the date of the September primary and January 1 preceding such
11 date in the case of candidates at the general election, or the date that a special
12 primary will or would be held, if required, and 90 days preceding such date or the
13 date a special election is ordered, whichever is earlier, in the case of special election
14 candidates, which contributions are in the aggregate amount of \$100 or less, and
15 which are fully identified and itemized as to the exact source thereof. A contribution
16 received from a conduit which is identified by the conduit as originating from an
17 individual shall be considered a contribution made by the individual. Only the first
18 \$100 of an aggregate contribution of more than \$100 may be counted toward the
19 required percentage. For a candidate at the spring or general election for an office
20 identified in s. 11.26 (1) (a) or (am) or a candidate at a special election, the required
21 amount to qualify for a grant is 5% of the candidate's authorized disbursement
22 limitation under s. 11.31. For any other candidate at the general election, the
23 required amount to qualify for a grant is 10% of the candidate's authorized
24 disbursement limitation under s. 11.31. For the purposes of this subdivision, a
25 candidate for the officer of lieutenant governor whose name is certified for placement

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1 on the general election ballot by a candidate for the office of governor under s. 8.16
2 (6) is considered to receive the contributions required to qualify for a grant under this
3 subdivision if the candidate for the office of lieutenant governor and the candidate
4 for the office of governor certifying his or her name together have received
5 contributions sufficient to qualify the candidate for the office of lieutenant governor
6 for a grant under this subdivision. Contributions required to qualify a candidate for
7 the office of governor for a grant under this subdivision shall not be included in
8 calculating the combined contributions for the candidate for the office of governor
9 and the candidate for the office of lieutenant governor under this subdivision.

10 **SECTION 25.** 19.42 (4) of the statutes is amended to read:

11 19.42 (4) "Candidate for state public office" means any individual who files
12 nomination papers and a declaration of candidacy under s. 8.21 or who is nominated
13 at a caucus under s. 8.05 (1) for the purpose of appearing on the ballot for election
14 as a state public official or, any individual who is nominated for the purpose of
15 appearing on the ballot for election as a state public official through the write-in
16 process or by appointment to fill a vacancy in nomination and who files a declaration
17 of candidacy under s. 8.21 or any individual whose name is certified for placement
18 on the general election ballot as a candidate for the office of lieutenant governor
19 under s. 8.16 (6) and who files a declaration of candidacy under s. 8.21.

20 **SECTION 26.** 19.43 (4) of the statutes is amended to read:

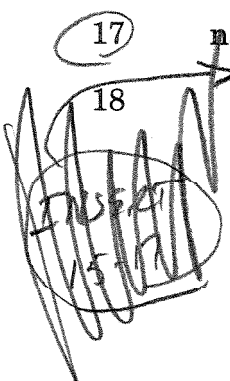
21 19.43 (4) A candidate for state public office shall file with the board a statement
22 of economic interests meeting each of the requirements of s. 19.44 (1) no later than
23 4:30 p.m. on the 3rd day following the last day for filing nomination papers for the
24 office which the candidate seeks, or no later than 4:30 p.m. on the next business day
25 after the last day whenever that candidate is granted an extension of time for filing

BILL

1 nomination papers or a declaration of candidacy under s. 8.05 (1) (j), 8.10 (2) (a), 8.15
2 (1) or 8.20 (8) (a), no later than 4:30 p.m. on the 5th day after notification of
3 nomination is mailed or personally delivered to the candidate by the municipal clerk
4 in the case of a candidate who is nominated at a caucus, ~~or~~ no later than 4:30 p.m.
5 on the 3rd day after notification of nomination is mailed or personally delivered to
6 the candidate by the appropriate official or agency in the case of a write-in candidate
7 or candidate who is appointed to fill a vacancy in nomination under s. 8.35 (2) (a) ² ~~or~~
8 no later than the time provided under s. 8.16 (6) for filing a statement of economic
9 interests in the case of a candidate for the office of lieutenant governor whose name
10 is certified for placement on the general election ballot by a candidate for the office
11 of governor under s. 8.16 (6). The information contained on the statement shall be
12 current as of December 31 of the year preceding the filing deadline. Before certifying
13 the name of any candidate for state public office under s. 7.08 (2) (a), the elections
14 board, municipal clerk or board of election commissioners shall ascertain whether
15 that candidate has complied with this subsection. If not, the elections board,
16 municipal clerk or board of election commissioners may not certify the candidate's
17 name for ballot placement.

(END)

18

A large, dark, handwritten scribble or signature is present in the bottom left corner of the page, partially overlapping the line number 18. The scribble is dense and illegible, with some faint markings that could be interpreted as initials or a name.

Effective date. *INSERT 5-77*
(1) This act takes effect on July 1, 2002

NOTE

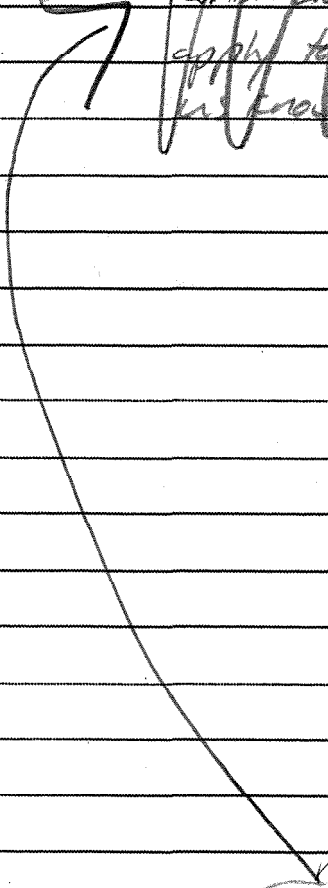
2773/1
: King:

Senator Kessler:

We have included ~~an~~ effective date of July 1, 2002, which would mean that, if enacted, this bill would apply to the upcoming gubernatorial race. Please let us know if this treatment is inconsistent with your intent.

RJM

JTK



The next election for lieutenant governor will take place in November ^{of} 2002. The first notice for this election must be provided on ~~the~~ ^{the} 2nd Tuesday in May, 2002. This bill must be enacted by ~~that date~~ ^{the date} ~~of~~ this notice ~~in order to avoid~~ ^{in order to avoid} ~~changing~~ ^{changing} the election ^{ec} procedure ^{after} ~~the~~ ^{the} election ^{campai} campaign ^{has} ~~begun~~ ^{begun}.

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

LRB-2773/1dn
RJM&JTK:kmg:jf

March 13, 2001

Senator Koessler:

The next election for lieutenant governor will take place in November 2002. The first notice for this election must be provided on the 2nd Tuesday in May, 2002. This bill must be enacted by the date of this notice in order to avoid changing the election procedure after the election campaigns for lieutenant governor have begun.

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

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



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

March 13, 2001

MEMORANDUM

To: Senator Roessler

From: Robert J. Marchant, Legislative Attorney

Re: LRB-2773 Nomination of candidates for the office of lieutenant governor

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

____ JACKET FOR ASSEMBLY ~~_____~~ JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 261-4454 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.

Barman, Mike

From: Barman, Mike
Sent: Friday, May 11, 2001 1:00 PM
To: Sen.Roessler
Subject: LRB-2773/1 (attached)

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703