

2003 DRAFTING REQUEST

Bill

Received: **02/08/2003**

Received By: **jkuesel**

Wanted: **As time permits**

Identical to LRB:

For: **Stephen Freese (608) 266-7502**

By/Representing: **Rob Richard**

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

Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **Elections - campaign finance**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Freese@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Elimination of legislative campaign committees; political party contribution limits

Instructions:

Per 01 AB 726 + AAs 1, 3, 4 and 5.

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>
/?	jkuesel 02/18/2003	csicilia 02/27/2003		_____			
/1			chaugen 02/27/2003	_____	amentkow 02/27/2003	sbasford 02/28/2003 sbasford 02/28/2003	

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

↳ Not
Needed

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Topic:

Elimination of legislative campaign committees; political party contribution limits

Instructions:

Per 01 AB-726 + AAs 1, 3, 4 and 5.

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/?	jkuesel 02/18/2003	csicilia 02/27/2003		_____			
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NOTE

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Instructions:

Per 01 AB-726 + AAs 1, 3, 4 and 5.

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12/1	jkuesel	2/18/1 cj	2/27 03 CW 2-27	OK PB			

FE Sent For:

<END>

**ASSEMBLY AMENDMENT 1,
TO 2001 ASSEMBLY BILL 726**

January 16, 2002 – Offered by COMMITTEE ON CAMPAIGNS AND ELECTIONS.

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

2 **1.** Page 5, line 23: delete "\$6,000" and substitute "\$~~6,000~~ \$18,000".

3 **2.** Page 6, line 3: delete "\$6,000" and substitute "\$~~6,000~~ \$18,000".

4 (END)

D NOTE

2003
2001-2002 LEGISLATURE

1993/1

LRB-4152/3

RUNNING: [unclear]

TOOMY
227

JTK

CX

2001 ASSEMBLY BILL 726

January 16, 2002 - Introduced by Representatives JENSEN, FOTI, FREESE, LOEFFELHOLZ, WALKER, VRAKAS, MUSSER, LADWIG, WARD, JOHNSRUD, GUNDRUM, STARZYK, DUFF, M. LEHMAN, OLSEN, RHOADES, HAHN, HUNDERTMARK, URBAN, KEDZIE, GUNDERSON, MONTGOMERY, LIPPERT, STONE, SKINDRUD, LEIBHAM, KRAWCZYK, NASS, KESTELL, MCCORMICK, JESKEWITZ, KAUFERT, ALBERS and BIES, cosponsored by Senators PANZER, HARSDFORF, ROSENZWEIG, KANAVAS, WELCH, DARLING, ROESSLER and HUELSMAN. Referred to Committee on Campaigns and Elections.

SKW

Regen cat.
(regenerate)

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AN ACT ~~to repeal~~ 11.01 (12s), 11.05 (3) (o) and 11.265; and ~~to amend~~ 5.02 (13),
11.05 (3) (c), 11.05 (9) (b), 11.06 (2), 11.06 (7m) (a), 11.06 (7m) (c), 11.16 (5), 11.26
(2) (intro.), 11.26 (4), 11.26 (8), 11.26 (9) (a) and (b) and 11.50 (9) of the statutes;

make and
relating to: limits on certain contributions received by political parties and
elimination of legislative campaign committees, *providing an exemption from*
emergency rule procedures and granting rule-making authority

Analysis by the Legislative Reference Bureau

Currently, the adherents of any political party in either house of the legislature may organize a "legislative campaign committee" to support the candidacy of members of their party for legislative office. Committees other than legislative campaign committees and political party committees are generally subject to a limitation upon the contributions that they may make to candidates for legislative office or to political parties. Legislative campaign committees are subject only to overall limitations on the aggregate contributions that may be accepted by a candidate from entities other than individuals.

This bill eliminates the special treatment of legislative campaign committees under the statutes, thus causing them to be treated in the same manner as other special interest committees for the purpose of contribution limitations. The bill does not preclude a committee from utilizing any name it wishes.

ASSEMBLY BILL 726

JWS
2-A

Currently, a political party may accept up to \$150,000 in contributions from all committees during any biennium. This bill increases that amount to \$500,000.

JWS
2-B

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

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

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

JWS
2-C

8 SECTION 2. 11.01 (12s) of the statutes is repealed.

JWS
2-D

9 SECTION 3. 11.05 (3) (c) of the statutes is amended to read:

10 11.05 (3) (c) In the case of a committee, a statement as to whether the
11 committee is a personal campaign committee, a political party committee, ~~a
12 legislative campaign committee,~~ a support committee, or a special interest
13 committee.

JWS
2-E

14 SECTION 4. 11.05 (3) (o) of the statutes is repealed.

15 SECTION 5. 11.05 (9) (b) of the statutes is amended to read:

16 11.05 (9) (b) An individual who or a committee or group which receives a
17 contribution of money and transfers the contribution to another individual,
18 committee, or group while acting as a conduit is not subject to registration under this
19 section unless the individual, committee, or group transfers the contribution to a
20 candidate or a personal campaign, ~~legislative campaign,~~ political party, or support
21 committee.

JWS
2-F

ASSEMBLY BILL 726

1 **SECTION 6.** 11.06 (2) of the statutes is amended to read:

2 **11.06 (2) DISCLOSURE OF CERTAIN INDIRECT DISBURSEMENTS.** Notwithstanding
3 sub. (1), if a disbursement is made or obligation incurred by an individual other than
4 a candidate or by a committee or group which is not primarily organized for political
5 purposes, and the disbursement does not constitute a contribution to any candidate
6 or other individual, committee, or group, the disbursement or obligation is required
7 to be reported only if the purpose is to expressly advocate the election or defeat of a
8 clearly identified candidate or the adoption or rejection of a referendum. The
9 exemption provided by this subsection shall in no case be construed to apply to a
10 political party, ~~legislative campaign~~, personal campaign, or support committee.

11 **SECTION 7.** 11.06 (7m) (a) of the statutes is amended to read:

12 **11.06 (7m) (a)** If a committee which was registered under s. 11.05 as a political
13 party committee ~~or legislative campaign committee~~ supporting candidates of a
14 political party files an oath under sub. (7) affirming that it does not act in cooperation
15 or consultation with any candidate who is nominated to appear on the party ballot
16 of the party at a general or special election, that the committee does not act in concert
17 with, or at the request or suggestion of, such a candidate, that the committee does
18 not act in cooperation or consultation with such a candidate or agent or authorized
19 committee of such a candidate who benefits from a disbursement made in opposition
20 to another candidate, and that the committee does not act in concert with, or at the
21 request or suggestion of, such a candidate or agent or authorized committee of such
22 a candidate who benefits from a disbursement made in opposition to another
23 candidate, the committee filing the oath may not make any contributions in support
24 of any candidate of the party at the general or special election or in opposition to any

twf
3-10

ASSEMBLY BILL 726

SECTION 7

1 such candidate's opponents exceeding the amounts specified in s. 11.26 (2), except as
2 authorized in par. (c).

3 **SECTION 8.** 11.06 (7m) (c) of the statutes is amended to read:

4 11.06 (7m) (c) A committee filing an oath under sub. (7) which desires to change
5 its status to a political party committee ~~or legislative campaign committee~~ may do
6 so as of December 31 of any even-numbered year. Section 11.26 does not apply to
7 contributions received by such a committee prior to the date of the change. Such a
8 committee may change its status at other times only by filing a termination
9 statement under s. 11.19 (1) and reregistering as a newly organized committee under
10 s. 11.05.

11 **SECTION 9.** 11.16 (5) of the statutes is amended to read:

12 11.16 (5) ESCROW AGREEMENTS. Any personal campaign committee, or political
13 party committee ~~or legislative campaign committee~~ may, pursuant to a written
14 escrow agreement with more than one candidate, solicit contributions for and
15 conduct a joint fund raising effort or program on behalf of more than one named
16 candidate. The agreement shall specify the percentage of the proceeds to be
17 distributed to each candidate by the committee conducting the effort or program.
18 The committee shall include this information in all solicitations for the effort or
19 program. All contributions received and disbursements made by the committee in
20 connection with the effort or program shall be received and disbursed through a
21 separate depository account under s. 11.14 (1) that is identified in the agreement.
22 For purposes of s. 11.06 (1), the committee conducting the effort or program shall
23 prepare a schedule in the form prescribed by the board supplying all required
24 information under s. 11.06 (1) and items qualifying for exclusion under s. 11.31 (6)

RWS
4-2
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RWS
4-1
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11

ASSEMBLY BILL 726

1 for the effort or program, and shall transmit a copy of the schedule to each candidate
2 who receives any of the proceeds within the period prescribed in s. 11.06 (4) (c).

3 SECTION 10. 11.26 (2) (intro.) of the statutes is amended to read:

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

10 SECTION 11. 11.26 (4) of the statutes is amended to read:

11 11.26 (4) No individual may make any contribution or contributions to all
12 candidates for state and local offices and to any individuals who or committees which
13 are subject to a registration requirement under s. 11.05, including legislative
14 campaign committees and committees of a political party, to the extent of more than
15 a total of \$10,000 in any calendar year.

16 SECTION 12. 11.26 (8) of the statutes is amended to read:

17 11.26 (8) (a) ~~No~~ Subject to sub. (10a), no political party as defined in s. 5.02 (13) may receive more than
18 a total of \$150,000 ~~\$500,000~~ \$450,000 in value of its contributions in any biennium from all
19 other committees, excluding contributions from legislative campaign committees
20 and transfers between party committees of the party. In this paragraph, a biennium
21 commences with January 1 of each odd-numbered year and ends with December 31
22 of each even-numbered year. to sub. (10a), no

23 (b) ~~No~~ Subject to sub. (10a), no such political party may receive more than a total of ~~\$6,000~~ \$18,000 in value of
24 its contributions in any calendar year from any specific committee or its subunits or
25 affiliates, excluding legislative campaign and political party committees.

JWS
5-2

JWS
5-9

JWS
5-16

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23

ASSEMBLY BILL 726

↓ Subject to sub. (10a), no

(c) ~~No~~ committee, other than a political party or legislative campaign committee, may make any contribution or contributions, directly or indirectly, to a political party under s. 5.02 (13) in a calendar year exceeding a total value of \$6,000.

\$18,100

SECTION 13. 11.26 (9) (a) ~~and (b)~~ of the statutes ~~are~~ amended to read:

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

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

SECTION 14. 11.265 of the statutes is repealed.

SECTION 15. 11.50 (9) of the statutes is amended to read:

11.50 (9) LIMITATION ON GRANTS. The total grant available to an eligible candidate may not exceed that amount which, when added to all other contributions accepted from sources other than individuals, and political party committees and legislative campaign committees, is equal to 45% of the disbursement level specified for the applicable office under s. 11.31. The board shall scrutinize accounts and reports and records kept under this chapter to assure that applicable limitations under ss. 11.26 (9) and 11.31 are not exceeded and any violation is reported. No

JWS 6-22
JWS 6-3

JWS 6-9

JWS 6-13

JWS 6-14

JWS 6-15

ASSEMBLY BILL 726

JWS
7-1
1)
2)
3)
JWS
7-2

candidate or campaign treasurer may accept grants exceeding the amount authorized by this subsection.

(END)

JWS 2 A:1
- 9 -

SENATE BILL 12

Act 109 also required reporting of obligations, but subject to a different threshold.

5. It increases the disbursement limitation of any candidate who accepts a public grant by certain amounts for which matching grants from the Wisconsin election campaign fund are potentially available (see grant eligibility requirements and amounts, below).

Act 109 made similar but not identical changes.

6. It repeals the procedure by which a candidate who would not otherwise be subject to statutory disbursement limitations may voluntarily agree to comply with these limitations.

Act 109 did not include this change

7. It repeals the exemption from disbursement limitations that currently applies to any candidate who accepts a grant from the Wisconsin election campaign fund and who is opposed by a major opponent who could have qualified for a grant but declines to accept one. Under the bill, the candidate accepting the grant remains bound by the applicable disbursement limitations.

Act 109 did not include this change

CONTRIBUTION LIMITATIONS

Under current law, committees other than political party committees and legislative campaign committees are subject to limitations on the amount of contributions made cumulatively to a particular candidate. A committee may contribute up to \$43,238 to a candidate for statewide office. Current law also limits the cumulative amount of contributions that a committee may make annually to a particular political party, limits the cumulative amount of contributions that a political party may accept annually from a particular committee, and limits the aggregate total of contributions that a political party may accept during any biennium from all committees. Currently, a committee may annually contribute up to \$6,000 to a particular political party, a political party may annually accept up to \$6,000 from a particular committee, and a political party may accept up to \$150,000 in contributions from all committees during any biennium.

This bill establishes specified limitations on committee contributions to candidates for statewide office as follows: a) candidates for governor, \$45,000; b) candidates for lieutenant governor, \$15,000; c) candidates for attorney general, \$25,000; and d) candidates for secretary of state, state treasurer, superintendent of public instruction, or justice of the supreme court, \$10,000. Under the bill, the limitation on committee contributions to a particular political party, and on the annual amount that a political party may accept from a particular committee, is increased to \$18,000, and the aggregate limitation on contributions that a political party may accept during a biennium from all committees is increased to \$450,000.

THIS

Act 109 included similar changes, but in some cases specified different amounts.

Under current law, the aggregate contributions accepted by a candidate for state or local office from all committees, when combined with any grant received from the Wisconsin election campaign fund, may not exceed 65% of the disbursement level or limitation for the office that the candidate seeks. In addition, the contributions

RWS 2A:2

SENATE BILL 12

Current law also imposes registration and financial reporting requirements on committees and individuals making disbursements independently of a candidate in support of or in opposition to a candidate for a state or local office. One requirement is the obligation of the committee or individual to file reports with the appropriate filing officer within 24 hours of making such a disbursement, if the disbursement is made less than 15 days before a primary or election and if the cumulative amount of such disbursements exceeds \$20.

This bill does the following:

1. It revises the current disbursement levels applicable to candidates for the offices shown in the following chart:

Office	Current Level	Proposed Level
Governor	\$1,078,200	\$2,000,000
Lieutenant governor	323,475	500,000
Attorney general	539,000	700,000
Secretary of state	215,625	250,000
State treasurer	215,625	250,000
Supreme court justice	215,625	300,000
State superintendent	215,625	250,000
State senator	34,500	100,000
Representative to the assembly	17,250	50,000

Act 109 also increased disbursement levels, but in some cases by different amounts.

2. It increases the total disbursement limitation for a candidate for partisan office at a general or special election whose name appears on the ballot at a primary election, who receives less than twice as many votes at that election as another candidate for the same office within the same party, and who has an opponent at the general or special election who received at least 6% of the votes cast for all candidates for that office at the primary election. Under the bill, the increased disbursement limitation is 120% of the amount provided for the candidate receiving the greatest number of votes for that office.

~~Act 109 did not include this change.~~

3. It creates a biennial cost-of-living adjustment that causes the statutory disbursement levels to be adjusted *quadratically*, beginning in *2004*, in accordance with a formula tied to the "consumer price index" determined by the U.S. Department of Labor.

~~This change was included in Act 109.~~

4. It replaces the provision requiring reports of cumulative independent disbursements exceeding \$20 made later than 15 days prior to a primary or election with a provision that requires cumulative independent disbursements *or obligations* exceeding \$20 during that period to be so reported.

not the bill also

these contribution limitations

2006

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1993/lins
JTK.....

INS 2B:

*deletes
xtra space*

This bill prohibits a political party from making contributions exceeding \$10,000 annually to an individual or committee that makes disbursements reportable under current law independently of any candidate, or to an organization that make other expenditures for the purpose of making certain mass communications during the period beginning on the 30th day preceding a primary for an office *ending on* and the date of the election for that office, or if no primary is held, during the period beginning on the 60th day preceding an election for an office and the date of that election.

Currently, there is no similar provision.

ending on

FWS 2-6

, as affected by 2001 Wisconsin Act 109,
repealed and recreated

Section #. 5.02 (13) of the statutes is amended to read:

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

NOTE: ~~Sub. (13) is amended eff. 7-1-03 by 2001 Wis. Act 109 to read:~~

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

History: ~~1971 c. 211; 1971 c. 304 ss. 2, 29 (2); 1973 c. 280, 334; 1975 c. 93; 1977 c. 107, 187, 394; 1977 c. 427 ss. 3 to 14; 1977 c. 449; 1979 c. 32, 89, 221; 1979 c. 260 ss. 1m, 73 to 75; 1979 c. 311, 328; 1981 c. 4, 391; 1983 a. 484 ss. 5, 5c, 124m, 128; 1985 a. 303; 1985 a. 304 ss. 1m, 2, 155; 1987 a. 391 ss. 1 to 1r, 66w; 1989 a. 31; 1991 a. 5; 1993 a. 140, 184; 1995 a. 16 s. 2; 1995 a. 27 s. 9145 (1); 1995 a. 219; 1997 a. 35; 2001 a. 16, 109.~~

no 9

Plain + Rpt

ASSEMBLY AMENDMENT 4,
TO 2001 ASSEMBLY BILL 726

LPS: THAW ~~SECTION~~ SECTION
NUMBERS



January 16, 2002 - Offered by COMMITTEE ON CAMPAIGNS AND ELECTIONS.

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

2 1. Page 1, line 4: after "contributions" insert "made and".

3 2. Page 2, line 7: after that line insert:

4 ~~SECTION 11.01 (4m)~~ SECTION ~~11.01 (4m)~~ ~~of the statutes~~ ~~are~~ created to read:

5 11.01 (4m) "Communication" means a message transmitted by means of a
6 printed advertisement, billboard, handbill, sample ballot, radio or television
7 advertisement, telephone call, or any medium that may be utilized for the purpose
8 of disseminating or broadcasting a message, but not including a poll conducted solely
9 for the purpose of identifying or collecting data concerning the attitudes or
10 preferences of electors.

11 ~~SECTION # CR; 11.01 (11m)~~
11 (11.0) (11m) "Independent expenditure" means an expenditure made for the purpose
12 of making a communication that is made during the 30-day period preceding any
13 primary for an office and the date of the election for which that primary is held, or

JWS
2-7

JWS
A
to INS
2-7



INSA to INS 2-7

created
as ~~added~~ by 2001 Wisconsin Act 109,
repeated and recreated

Section #. 11.01 (4m) of the statutes is ~~added~~ to read:

11.01 (4m) "Communication" means a message, other than a communication that is exempt from reporting under s. 11.29, that is transmitted by means of a printed advertisement, billboard, handbill, marked sample ballot, radio or television advertisement, mass electronic communication, mass telephoning, or mass mailing, or any medium that may be utilized for the purpose of disseminating or broadcasting a message, but not including a poll conducted solely for the purpose of identifying or collecting data concerning the attitudes or preferences of electors.

NOTE: Sub. (4m) is created eff. 7-1-03 by 2001 Wis. Act 109.

History: 1973 c. 334; 1975 c. 93, 199; 1977 c. 187, 427; 1979 c. 260, 263; 1979 c. 328 ss. 12 to 28, 146; 1979 c. 355 s. 31; 1983 a. 484, 491; 1985 a. 303; 1987 a. 370, 391; 1989 a. 192; 1993 a. 112; 1999 a. 83; 2001 a. 103, 109.

1 if no primary is held, during the 60-day period preceding an election for an office;
 2 that contains a reference to a clearly identified candidate at that election; that is
 3 made without cooperation or consultation with such a candidate, or any authorized
 4 committee or agent of such a candidate; and that is not made in concert with, or at
 5 the request or suggestion of, such a candidate, or any authorized committee or agent
 6 of such a candidate.

7 ~~3. Page 6, line 3: after that line insert:~~

8 ~~SECTION 12m.~~ 11.26 ^(8L) ~~(8m)~~ of the statutes is created to read:

9 11.26 ^(8L) ~~(8m)~~ No political party as defined in s. 5.02 (13) may make any
 10 contribution or contributions exceeding a total of \$10,000 cumulatively within a
 11 calendar year to an individual or committee that is required to file a statement under
 12 s. 11.06 (7) or an organization that makes independent expenditures.

13 (END)

end
for
2-76

INS
6-3

was affected by 2001 Wisconsin Act 109,
(repealed and recreated)

Section #. 11.05 (3) (c) of the statutes is ~~amended~~ to read:

no 9

11.05 (3) (c) In the case of a committee, a statement as to whether the committee is a personal campaign committee, a political party committee, a legislative campaign committee, a support committee or a special interest committee.

NOTE: Par. (c) is amended eff. 7-1-03 by 2001 Wis. Act 109 to read:

plain
12 pt

(e) In the case of a committee, a statement as to whether the committee is a personal campaign committee, a political party committee, a support committee, or a special interest committee.

History: 1973 c. 334; 1975 c. 93, 199, 200; 1977 c. 427; 1979 c. 328; 1979 c. 355 s. 241; 1981 c. 314 s. 146; 1983 a. 484; 1985 a. 303 ss. 7 to 15r, 86; 1987 a. 370, 391, 403; 1989 a. 192; 2001 a. 109.

DWS 2-21

as affected by 2001 Wisconsin Act 109,
repealed and recreated

Section #. 11.05 (9) (b) of the statutes is amended to read:

no 9

~~11.05 (9) (b) An individual who or a committee or group which receives a contribution of money and transfers the contribution to another individual, committee or group while acting as a conduit is not subject to registration under this section unless the individual, committee or group transfers the contribution to a candidate or a personal campaign, legislative campaign, political party or support committee.~~

NOTE: Par. (b) is amended eff. 7-1-03 by 2001 Wis. Act 109 to read:

plain 12pt

(b) An individual who or a committee or group which receives a contribution of money and transfers the contribution to another individual, committee, or group while acting as a conduit is not subject to registration under this section unless the individual, committee, or group transfers the contribution to a candidate or a personal campaign, political party, or support committee.

History: 1973 c. 334; 1975 c. 93, 199, 200; 1977 c. 427; 1979 c. 328; 1979 c. 355 s. 241; 1981 c. 314 s. 146; 1983 a. 484; 1985 a. 303 ss. 7 to 15r, 86; 1987 a. 370, 391, 403; 1989 a. 192; 2001 a. 109.

as affected by 2001 Wisconsin Act 109,
repealed and recreated

Section #. 11.06 (2) of the statutes is amended to read:

no 9

~~11.06 (2) DISCLOSURE OF CERTAIN INDIRECT DISBURSEMENTS. Notwithstanding sub. (1), if a disbursement is made or obligation incurred by an individual other than a candidate or by a committee or group which is not primarily organized for political purposes, and the disbursement does not constitute a contribution to any candidate or other individual, committee or group, the disbursement or obligation is required to be reported only if the purpose is to expressly advocate the election or defeat of a clearly identified candidate or the adoption or rejection of a referendum. The exemption provided by this subsection shall in no case be construed to apply to a political party, legislative campaign, personal campaign or support committee.~~

NOTE: Sub. (2) is amended eff. 7-1-03 by 2001 Wis. Act 109 to read:

plain
12 pt

(2) DISCLOSURE OF CERTAIN INDIRECT DISBURSEMENTS. Notwithstanding sub. (1), if a disbursement is made or obligation incurred by an individual other than a candidate, or by a committee or group which is not primarily organized for political purposes, for a purpose other than to make a communication described in s. 11.01 (16) (a) 3., and the disbursement does not constitute a contribution to any candidate or other individual, committee or group, the disbursement or obligation is required to be reported only if the purpose is to expressly advocate the election or defeat of a clearly identified candidate or the adoption or rejection of a referendum. The exemption provided by this subsection shall in no case be construed to apply to a political party, personal campaign or support committee.

History: 1973 c. 334; 1975 c. 93, ss. 47 to 53, 119 (2); 1975 c. 199; 1979 c. 263, 328; 1985 a. 303; 1987 a. 370; 1989 a. 102; 1995 a. 16 s. 2; 2001 a. 109.

(RWS 4-2)

Section #. 11.06 (7m) (a) ^{as affected by 2001 Wisconsin Act 109,} of the statutes is ~~amended~~ ^{repealed and recreated} to read:

~~11.06 (7m) (a) If a committee which was registered under s. 11.05 as a political party committee or legislative campaign committee supporting candidates of a political party files an oath under sub. (7) affirming that it does not act in cooperation or consultation with any candidate who is nominated to appear on the party ballot of the party at a general or special election, that the committee does not act in concert with, or at the request or suggestion of, such a candidate, that the committee does not act in cooperation or consultation with such a candidate or agent or authorized committee of such a candidate who benefits from a disbursement made in opposition to another candidate, and that the committee does not act in concert with, or at the request or suggestion of, such a candidate or agent or authorized committee of such a candidate who benefits from a disbursement made in opposition to another candidate, the committee filing the oath may not make any contributions in support of any candidate of the party at the general or special election or in opposition to any such candidate's opponents exceeding the amounts specified in s. 11.26 (2), except as authorized in par. (c).~~

12/29

NOTE: Par. (a) is amended eff. 7-1-03 by 2001 Wis. Act 109 to read:

(a) If a committee which was registered under s. 11.05 as a political party committee supporting candidates of a political party files an oath under sub. (7) affirming that it does not act in cooperation or consultation with any candidate who is nominated to appear on the party ballot of the party at a general or special election, that the committee does not act in concert with, or at the request or suggestion of, such a candidate, that the committee does not act in cooperation or consultation with such a candidate or agent or authorized committee of such a candidate who benefits from a disbursement made in opposition to another candidate, and that the committee does not act in concert with, or at the request or suggestion of, such a candidate or agent or authorized committee of such a candidate who benefits from a disbursement made in opposition to another candidate, the committee filing the oath may not make any contributions in support of any candidate of the party at the general or special election or in opposition to any such candidate's opponents exceeding the applicable amounts specified in s. 11.26 (2) and (2m), except as authorized in par. (c).

Plain
12/29

History: 1973 c. 334; 1975 c. 93 ss. 47 to 53, 119 (2); 1975 c. 199; 1979 c. 263, 328; 1985 a. 303; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 2001 a. 109

WS 4-10

, as affected by 2001 Wisconsin Act 109, repealed and recreated

Section #. 11.06 (7m) (c) of the statutes is amended to read:

11.06 (7m) (c) A committee filing an oath under sub. (7) which desires to change its status to a political party committee or legislative campaign committee may do so as of December 31 of any even-numbered year. Section 11.26 does not apply to contributions received by such a committee prior to the date of the change. Such a committee may change its status at other times only by filing a termination statement under s. 11.19 (1) and reregistering as a newly organized committee under s. 11.05.

NOTE: Par. (c) is amended eff. 7-1-03 by 2001 Wis. Act 109 to read:

(c) A committee filing an oath under sub. (7) which desires to change its status to a political party committee may do so as of December 31 of any even-numbered year. Section 11.26 does not apply to contributions received by such a committee prior to the date of the change. Such a committee may change its status at other times only by filing a termination statement under s. 11.19 (1) and reregistering as a newly organized committee under s. 11.05.

History: 1973 c. 334; 1975 c. 93 ss. 47 to 53, 119 (2); 1975 c. 199; 1979 c. 263, 328; 1985 a. 303; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 2001 a. 109.

no 9

plain 12pt

as affected by 2001 Wisconsin Act 109,
repealed and recreated

Section #. 11.16 (5) of the statutes is amended to read:

11.16 (5) **ESCROW AGREEMENTS.** Any personal campaign committee, political party committee or legislative campaign committee may, pursuant to a written escrow agreement with more than one candidate, solicit contributions for and conduct a joint fund raising effort or program on behalf of more than one named candidate. The agreement shall specify the percentage of the proceeds to be distributed to each candidate by the committee conducting the effort or program. The committee shall include this information in all solicitations for the effort or program. All contributions received and disbursements made by the committee in connection with the effort or program shall be received and disbursed through a separate depository account under s. 11.14 (1) that is identified in the agreement. For purposes of s. 11.06 (1), the committee conducting the effort or program shall prepare a schedule in the form prescribed by the board supplying all required information under s. 11.06 (1) and items qualifying for exclusion under s. 11.31 (6) for the effort or program, and shall transmit a copy of the schedule to each candidate who receives any of the proceeds within the period prescribed in s. 11.06 (4) (c).

NOTE: Sub. (5) is amended eff. 7-1-03 by 2001 Wis. Act 109 to read:

(5) **ESCROW AGREEMENTS.** Any personal campaign committee or political party committee may, pursuant to a written escrow agreement with more than one candidate, solicit contributions for and conduct a joint fund raising effort or program on behalf of more than one named candidate. The agreement shall specify the percentage of the proceeds to be distributed to each candidate by the committee conducting the effort or program. The committee shall include this information in all solicitations for the effort or program. All contributions received and disbursements made by the committee in connection with the effort or program shall be received and disbursed through a separate depository account under s. 11.14 (1) that is identified in the agreement. For purposes of s. 11.06 (1), the committee conducting the effort or program shall prepare a schedule in the form prescribed by the board supplying all required information under s. 11.06 (1) and items qualifying for exclusion under s. 11.31 (6) for the effort or program, and shall transmit a copy of the schedule to each candidate who receives any of the proceeds within the period prescribed in s. 11.06 (4) (c).

History: 1973 c. 334; 1975 c. 93, 199; 1979 c. 328; 1985 a. 303; 2001 a. 109

Am

plain
12pt

BWS-9

as affected by 2001 Wisconsin Act 109,
repealed and recreated

Section #. 11.26 (2) (intro.) of the statutes is amended to read:

~~11.26 (2) (intro.) No committee other than a political party committee or legislative campaign committee may make any contribution or contributions to a candidate for election or nomination to any of the following offices and to any individual or committee under s. 11.06 (7) acting solely in support of such a candidate or solely in opposition to the candidate's opponent to the extent of more than a total of the amounts specified per candidate:~~

wp

NOTE: Sub. (2)(intro.) is amended eff. 7-1-03 by 2001 Wis. Act 109 to read:

(2) Subject to sub. (10a) and except as provided under subs. (2m), (2t), and (9m), no committee other than a political party committee may make any contribution or contributions to a candidate for election or nomination to any of the following offices and to any individual or committee under s. 11.06 (7) acting solely in support of such a candidate or solely in opposition to the candidate's opponent to the extent of more than a total of the following amounts specified per candidate:

plain
12 pt

~~History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109.~~

PWS 5-16

was affected by 2001 Wisconsin Act 109
repealed and recreated

Section #. 11.26 (4) of the statutes is amended to read:

~~11.26 (4) No individual may make any contribution or contributions to all candidates for state and local offices and to any individuals who or committees which are subject to a registration requirement under s. 11.05, including legislative campaign committees and committees of a political party, to the extent of more than a total of \$10,000 in any calendar year.~~

~~NOTE: Sub. (4) is amended eff. 7-1-03 by 2001 Wis. Act 109 to read:~~

(4) Subject to sub. (10a), no individual may make any contribution or contributions to all candidates for state and local offices and to any individuals who or committees which are subject to a registration requirement under s. 11.05, including committees of a political party, to the extent of more than a total of \$10,000 in any calendar year.

History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109.

WS 6-2

as affected by 2001 Wisconsin Act 109,
(repealed and recreated)

Section #. 11.26 (8) of the statutes is amended to read:

11.26 (8) (a) ~~No political party as defined in s. 5.02 (13) may receive more than a total of \$150,000 in value of its contributions in any biennium from all other committees, excluding contributions from legislative campaign committees and transfers between party committees of the party. In this paragraph, a biennium commences with January 1 of each odd-numbered year and ends with December 31 of each even-numbered year.~~

~~(b) No such political party may receive more than a total of \$6,000 in value of its contributions in any calendar year from any specific committee or its subunits or affiliates, excluding legislative campaign and political party committees.~~

~~(c) No committee, other than a political party or legislative campaign committee, may make any contribution or contributions, directly or indirectly, to a political party under s. 5.02 (13) in a calendar year exceeding a total value of \$6,000.~~

NOTE: Sub. (8) is amended eff. 7-1-03 by 2001 Wis. Act 109 to read:

(8) (a) Subject to sub. (10a) and except as provided in sub. (8n), no political party as defined in s. 5.02 (13) may receive more than a total of \$450,000 in value of its contributions in any biennium from all other committees, excluding transfers between party committees of the same party. In this paragraph, "biennium" means the time period commencing with January 1 of each odd-numbered year and ending with December 31 of each even-numbered year.

(b) Subject to sub. (10a) and except as provided in sub. (8n), no such political party may receive more than a total of \$18,000 in value of its contributions in any calendar year from any specific committee or that specific committee's subunits or affiliates, excluding transfers between party committees of the same party.

(c) Subject to sub. (10a) and except as provided in sub. (8n), no committee, other than a political party committee, may make any contribution or contributions, directly or indirectly, to a political party under s. 5.02 (13) in a calendar year exceeding a total value of \$18,000.

History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 0145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109.

not

plain
12 pt

INS 6-9

, as affected by 2001 Wisconsin Act 109,

Section #. 11.26 (9) (a) (intro.) of the statutes is amended to read:

repealed and recreated

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

NOTE: Sub. (9) (a) is renumbered sub. (9) (a) (intro.) and amended eff. 7-1-03 by 2001 Wis. Act 109 to read:

(a) Except as provided under sub. (9m), no individual who is a candidate for state or local office may receive and accept more than 65% of the value of the total disbursement level determined under s. 11.31 (1), adjusted as provided under s. 11.31 (9), for the office for which he or she is a candidate during any primary and election campaign combined from all committees subject to a filing requirement, including political party committees, except as follows:

History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109.

not

plain
12pt

→ SECTION # AM; 11.26 (9) (b)

ANS 6 - 13

, as affected by 2001 Wisconsin Act 109,
repeated and recreated

Section # 11.26 (9) (b) of the statutes is amended to read:

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

not

NOTE: Par. (b) is amended eff. 7-1-03 by 2001 Wis. Act 109 to read:

(b) No individual who is a candidate for state office, other than a state office described in par. (am), or local office may receive and accept more than 45% of the value of the total disbursement level determined under s. 11.31 (1), adjusted as provided under s. 11.31 (9), for the office for which he or she is a candidate during any primary and election campaign combined from all committees other than political party committees subject to a filing requirement.

plain
12pt

History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109.

JWS 7-1

Section #. 11.50 (9) of the statutes is amended to read:

(a)

as affected by 2003 Wisconsin Act 109,
repealed and recreated

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

NOTE: Sub. (9) is affected eff. 7-1-03 by 2001 Wis. Act 2001 to read:

(9) LIMITATION ON GRANTS. (a) Except as provided in sub. (4) (bg) and (br), the total grant available to an eligible candidate for the office of governor may not exceed that amount which, when added to all other contributions accepted from sources other than individuals and political party committees, is equal to 35% of the disbursement level specified for the office that the candidate seeks, as determined under s. 11.31 (1) and adjusted as provided under s. 11.31 (9).

(b) Except as provided in sub. (4) (bg) and (br), the total grant available to an eligible candidate for any other state office may not exceed that amount which, when added to all other contributions accepted from sources other than individuals and political party committees, is equal to 40% of the disbursement level specified for the office that the candidate seeks, as determined under s. 11.31 (1) and adjusted under s. 11.31 (9).

(c) The board shall scrutinize accounts and reports and records kept under this chapter to assure that applicable limitations under ss. 11.26 (9) and 11.31 are not exceeded and any violation is reported.

(d) No candidate or campaign treasurer may accept grants exceeding the amount authorized by this subsection.

History: 1977 c. 107, 272; 1979 c. 328; 1983 a. 51; 1983 a. 484 s. 174; 1985 a. 303 ss. 73 to 79, 86; 1987 a. 370, 391, 403; 1989 a. 31; 1989 a. 192 s. 75; 2001 a. 109.

no ff

plain
12pt

**ASSEMBLY AMENDMENT 3,
TO 2001 ASSEMBLY BILL 726**

January 16, 2002 - Offered by COMMITTEE ON CAMPAIGNS AND ELECTIONS.

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

2 1. Page 1, line 4: delete "parties and" and substitute "parties,".

3 2. Page 1, line 5: after "committees" insert ", providing an exemption from
4 emergency rule procedures and granting rule-making authority".

5 3. Page 5, line 17: delete "No" and substitute "~~No~~ ^{Except} ~~except as provided under sub.~~
6 (10a), no".

7 4. Page 5, line 23: delete "No" and substitute "~~No~~ ^{Except} ~~except as provided under sub.~~
8 (10a), no".

9 5. Page 6, line 1: delete "No" and substitute "~~No~~ ^{Except} ~~except as provided under sub.~~
10 (10a), no".

11 6. Page 6, line 14: after that line insert:

12 ~~SECTION 13d.~~ [#] 11.26 (10a) of the statutes is created to read:

JWS
6-14

THAW SECTION NUMBER

PR 56-15

created
was ~~deleted~~ by 2001 Wisconsin Act 109
repealed and recreated

Section #. 11.26 (10a) of the statutes is amended to read:

11.26 (10a) (a) In this subsection, "consumer price index" means the average of the consumer price index over each 12-month period, all items, U.S. city average, as determined by the bureau of labor statistics of the U.S. department of labor.

(b) The dollar amounts of the limitations under subs. (1), (1m), (2), (2m), (4), (8), and (8n) are subject to a biennial adjustment to be determined by rule of the board in accordance with this subsection. To determine the adjustment, the board shall, in each year that the adjustment is made, calculate the percentage difference between the consumer price index for the 12-month period ending on December 31 of the preceding year and the consumer price index for calendar year 2003. Beginning in 2006 and every 2 years thereafter, the board shall multiply the amount of each limitation under subs. (1), (1m), (2), (2m), (4), (8), and (8n) by the percentage difference in the consumer price indexes. The board shall then add that product to the applicable limitation under subs. (1), (1m), (2), (2m), (4), (8), and (8n), round each sum to the nearest multiple of \$5, and adjust the amount of each limitation to substitute the resulting amount. The amount so determined shall then be in effect until a subsequent rule is promulgated under this subsection. Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), determinations under this subsection may be promulgated as an emergency rule under s. 227.24 without providing evidence that the emergency rule is necessary for the public peace, health, safety, or welfare and without a finding of emergency.

NOTE: Sub. (10a) is created eff. 7-1-03 by 2001 Wis. Act 109.

History: 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109.

ASSEMBLY BILL 1

1 ~~complaint may petition the attorney general to act upon the complaint. The attorney~~
 2 ~~general may then bring an action under par. (a) or (b), or both.~~

3 **SECTION 13.** 19.59 (8) (cm) and (cn) of the statutes, as created by 2001
 4 Wisconsin Act 109, are repealed and recreated to read:

5 19.59 (8) (cm) No complaint alleging a violation of sub. (1) (br) may be filed
 6 during the period beginning 120 days before a general or spring election, or during
 7 the period commencing on the date of the order of a special election under s. 8.50, and
 8 ending on the date of that election, against a candidate who files a declaration of
 9 candidacy to have his or her name appear on the ballot at that election.

10 (cn) If the district attorney refuses or otherwise fails to commence an action to
 11 enforce sub. (1) (br) within 30 days after receiving a verified complaint alleging a
 12 violation of sub. (1) (br), the person making the complaint may bring an action to
 13 recover the forfeiture under sub. (7) on his or her relation in the name, and on behalf,
 14 of the state. In such actions, the court may award actual and necessary costs of
 15 prosecution, including reasonable attorney fees, to the relator if her or she prevails,
 16 but any forfeiture recovered shall be paid to the state. If the court finds in any such
 17 action that the cause of action was frivolous as provided in s. 814.025, the court shall
 18 award costs and fees to the defendant under that section.

19 **SECTION 14.** 2001 Wisconsin Act 109, section 9115 (2y) (h) is amended to read:

20 [2001 Wisconsin Act 109] Section 9115 (2y) (b) Notwithstanding section
 21 990.001 (11) of the statutes, if a court finds that any part of the repeal of sections
 22 11.01 (12s), 11.05 (3) (o), 11.265, 11.50 (3), and 11.50 (10) of the statutes, the
 23 renumbering of sections 11.05 (2r) (title), 11.24 (2), and 11.50 (1) (a) 1. of the statutes,
 24 the renumbering and amendment of sections 11.05 (1), 11.05 (2), 11.05 (2r), 11.12 (6),
 25 ~~11.26 (9) (a), 11.31 (2m), 11.50 (1) (a) 2., 11.50 (5), 11.50 (9), 19.49 (5), 19.59 (7), and~~

Always
 PLAIN

ASSEMBLY BILL 1

1 71.10 (3) (a) of the statutes, the amendment of sections ~~5.02 (13)~~, 5.05 (2), 7.08 (2) (c),
 2 7.08 (2) (cm), 8.30 (2), 8.35 (4) (a) 1. a. and b., 8.35 (4) (c) and (d), ~~11.05 (3) (c)~~, 11.05
 3 (5), ~~11.05 (9) (b)~~, 11.05 (12) (b), 11.05 (13), 11.06 (1) (intro.), 11.06 (1) (e). ~~11.06 (2)~~,
 4 11.06 (3) (b) (intro.), 11.06 (4) (b), 11.06 (5), ~~11.06 (7m) (a)~~, 11.06 (7m) (b), ~~11.06 (7m)~~
 5 ~~(c)~~, 11.07 (1), 11.07 (5), 11.09 (3), 11.10 (1), 11.12 (2), 11.12 (4), 11.12 (5), 11.14 (3),
 6 11.16 (2), ~~11.16 (5)~~, 11.19 (title), 11.19 (1), 11.20 (1), 11.20 (2), 11.20 (3) (a) and (b),
 7 11.20 (7), 11.20 (8) (intro.), 11.20 (8) (a), 11.20 (9), 11.20 (10) (a), 11.20 (12), 11.21 (2),
 8 11.21 (15), 11.21 (16), 11.22 (3), 11.23 (1), 11.23 (2), 11.26 (1) (intro.), ~~11.26 (2) (intro.)~~,
 9 11.26 (2) (a), 11.26 (3), ~~11.26 (4)~~, 11.26 (5), 11.26 (6), ~~11.26 (8)~~, ~~11.26 (9) (b)~~, 11.26 (10),
 10 11.26 (15), 11.26 (17) (a), 11.31 (1) (intro.), 11.31 (1) (a) to (d), 11.31 (1) (e) and (f), 11.31
 11 (2), 11.31 (2m) (title), 11.31 (3), 11.38 (1) (a) 2., 11.38 (6), 11.38 (8) (b). 11.50 (2) (a).
 12 11.50 (2) (b) 3. and 4., 11.50 (2) (b) 5., 11.50 (2) (c), 11.50 (2) (f), 11.50 (2) (g), 11.50 (2)
 13 (h), 11.50 (2) (i), 11.50 (6), 11.50 (7) (intro.), 11.50 (8), 11.50 (10m), 11.50 (11) (e), 11.60
 14 (4), 11.61 (1) (a) (by SECTION 2d) ~~19.53 (6)~~, ~~19.59 (8) (c)~~, 20.510 (1) (q), 25.42, 71.08
 15 (1) (intro.), and 71.10 (3) (b) of the statutes, the repeal and recreation of sections 11.05
 16 (9) (title) and 11.50 (4) of the statutes, the creation of sections 11.001 (2m), ~~11.01 (4m)~~,
 17 11.01 (12w), (13) and (14), 11.01 (16) (a) 3., 11.05 (1) (b), 11.05 (2) (b), 11.05 (3) (m),
 18 11.05 (3) (r), 11.06 (1) (cm) and (dm), 11.06 (2m) (b) to (d), 11.06 (11) (bm), 11.12 (6)
 19 (am), 11.12 (6) (c) and (d), 11.12 (8) and (9). 11.20 (2s). 11.20 (2t), 11.20 (8) (am), 11.24
 20 (1w), 11.24 (4), 11.26 (1m), 11.26 (1t), 11.26 (2) (ae), (am), (as) and (av), 11.26 (2m),
 21 11.26 (2t), 11.26 (8n), 11.26 (8r), 11.26 (9) (a) 1. to 4., 11.26 (9) (am), 11.26 (9m), ~~11.26~~
 22 ~~(10a)~~, 11.31 (1) (de), 11.31 (2m) (a), 11.31 (3p), 11.31 (9), 11.385, 11.50 (1) (a) 1. (intro.),
 23 11.50 (1) (a) 2m., 11.50 (1) (am), 11.50 (1) (bm) and (cm), 11.50 (2) (b) 6., 11.50 (2) (j),
 24 11.50 (2m), 11.50 (2s), 11.50 (2w), 11.50 (9) (b), 11.50 (14), 11.60 (3r), ~~19.42 (3m)~~, (4g)
 25 and (4r), ~~19.45 (13)~~, ~~19.49 (1m)~~, ~~19.49 (5) (b)~~, ~~19.535~~, ~~19.59 (1) (br)~~, ~~19.59 (7) (b)~~, 19.59

PLAIN
 11/18/03

Positive
 PLAIN

ASSEMBLY BILL 1

~~REPEAL~~

1 ~~(8) (cm) and (cn)~~ 71.07 (6s), 71.10 (3) (ac), 71.10 (3) (d), 71.10 (4) (gw), and 806.04
2 (11m) of the statutes or SECTIONS 9115 (2v), (2x), and (2y), 9132 (4v), 9215 (3v), 9244
3 (6v), 9315 (2v) and (2w), and 9344 (2v) of this act is unconstitutional, the treatment
4 of those provisions by this act is void.

5 ~~SECTION 15.~~ 2001 Wisconsin Act 109, section 9415 (1zx) is amended to read:

6 [2001 Wisconsin Act 109] Section 9415 (1zx) CAMPAIGN FINANCE AND RELATED
7 CHANGES. The repeal of sections 11.01 (12s), 11.05 (3) (o), 11.265, 11.50 (3), and 11.50

8 (10) of the statutes, the renumbering of sections 11.05 (2r) (title), 11.24 (2), and 11.50
9 (1) (a) 1. of the statutes, the renumbering and amendment of sections 11.05 (1), 11.05

10 (2), 11.05 (2r), 11.12 (6), ~~11.26 (9) (a)~~, 11.31 (2m), 11.50 (1) (a) 2., 11.50 (5), ~~and 11.50~~
~~(9)~~, 19.49 (5), and 19.59 (7) of the statutes, the amendment of sections ~~5.02 (13)~~, 5.05

11 (2), 7.08 (2) (c), 7.08 (2) (cm), 8.30 (2), 8.35 (4) (a) 1. a. and b., 8.35 (4) (c) and (d), ~~11.05~~
12 ~~(3) (c)~~, 11.05 (5), ~~11.05 (9) (b)~~, 11.05 (12) (b), 11.05 (13), 11.06 (1) (intro.), 11.06 (1) (e),

13 ~~11.06 (2)~~, 11.06 (3) (b) (intro.), 11.06 (4) (b), 11.06 (5), ~~11.06 (7m) (a)~~, 11.06 (7m) (b),
14 ~~11.06 (7m) (c)~~, 11.07 (1), 11.07 (5), 11.09 (3), 11.10 (1), 11.12 (2), 11.12 (4), 11.12 (5),

15 11.14 (3), 11.16 (2), ~~11.16 (5)~~, 11.19 (title), 11.19 (1), 11.20 (1), 11.20 (2), 11.20 (3) (a)
16 and (b), 11.20 (7), 11.20 (8) (intro.), 11.20 (8) (a), 11.20 (9), 11.20 (10) (a), 11.20 (12),

17 11.21 (2), 11.21 (15), 11.21 (16), 11.22 (3), 11.23 (1), 11.23 (2), 11.26 (1) (intro.), ~~11.26~~
18 ~~(2) (intro.)~~, 11.26 (2) (a), 11.26 (3), ~~11.26 (4)~~, 11.26 (5), 11.26 (6), ~~11.26 (9)~~, ~~11.26 (9)~~

19 ~~(b)~~, 11.26 (10), 11.26 (15), 11.26 (17) (a), 11.31 (1) (intro.), 11.31 (1) (a) to (d), 11.31 (1)
20 (e) and (f), 11.31 (2), 11.31 (2m) (title), 11.31 (3), 11.38 (1) (a) 2., 11.38 (6), 11.38 (8)

21 (b), 11.50 (2) (a), 11.50 (2) (b) 3. and 4., 11.50 (2) (b) 5., 11.50 (2) (c), 11.50 (2) (f), 11.50
22 (2) (g), 11.50 (2) (h), 11.50 (2) (i), 11.50 (6), 11.50 (7) (intro.), 11.50 (8), 11.50 (10m),

23 11.50 (11) (e), 11.60 (4), 11.61 (1) (a) (by SECTION 2d) ~~19.53 (6)~~, ~~19.59 (8) (c)~~, 20.510
24 (1) (g), and 25.42 of the statutes, the repeal and recreation of sections 11.05 (9) (title)
25

~~REPEAL~~
~~REPEAL~~

restate

ASSEMBLY BILL 1

1 and 11.50 (4) of the statutes, the creation of sections 11.001 (2m), ~~11.01 (4m), 11.01~~
2 (12w), (13) and (14), 11.01 (16) (a) 3., 11.01 (17g) and (17r), 11.05 (1) (b), 11.05 (2) (b),
3 11.05 (3) (m), 11.05 (3) (r), 11.06 (1) (cm) and (dm), 11.06 (2m) (b) to (d), 11.06 (11) (bm),
4 11.12 (6) (am), 11.12 (6) (c) and (d), 11.12 (8) and (9), 11.20 (2s), 11.20 (2t), 11.20 (8)
5 (am), 11.21 (17), 11.24 (1w), 11.24 (4), 11.26 (1m), 11.26 (1t), 11.26 (2) (ae), (am), (as)
6 and (av), 11.26 (2m), 11.26 (2t), 11.26 (8n), 11.26 (8r), 11.26 (9) (a) 1. to 4., 11.26 (9)
7 (am), 11.26 (9m), ~~11.26 (10a), 11.31 (1) (de), 11.31 (2m) (a), 11.31 (3p), 11.31 (9),~~
8 11.385, 11.50 (1) (a) 1. (intre.), 11.50 (1) (a) 2m., 11.50 (1) (am), 11.50 (1) (bm) and (cm),
9 11.50 (2) (b) 6., 11.50 (2) (j), 11.50 (2m), 11.50 (2s), 11.50 (2w), 11.50 (9) (b), 11.50 (14),
10 11.60 (3r), 19.42 (3m), (4g) and (4r), 19.45 (13), 19.49 (1m), 19.49 (5) (b), 19.535, 19.59
11 (1) (br), 19.59 (7) (b), 19.59 (8) (cm) and (cn), and 806.04 (11m) of the statutes and
SECTIONS 9115 (2v) and (2w) and 9315 (2v) and (2w) of this act take effect on July 1,
2003.

(END)

12
negative
13
14

BILL

SECTION 113

or sections 11.01 (4m) or 11.26 (10a) of the statutes, as created by this act,

1 (c) At its first meeting, the ethics and elections accountability and control board
2 shall appoint a 9th member of the board.

3 (d) Notwithstanding section 758.21 of the statutes, as created by this act, and
4 section 15.07 (1) (c) of the statutes:

5 1. Of the members who are initially appointed by the supreme court, the court
6 shall designate 4 appointees to serve for terms of office expiring on May 1, 2007, and
7 4 appointees to serve for a term of office expiring on May 1, 2005.

8 2. The member who is initially appointed by the other members shall serve for
9 a term of office expiring on May 1, 2007.

10 ~~SECTION 9~~ ~~NONSEVERABILITY~~ ~~(4)~~ ~~SECTION # Nonstatutory provisions, ¶ (1)~~ Notwithstanding section 990.001 (11) of the statutes, if
11 a court finds that section ~~990.001 (11)~~ of the statutes, as affected by this act, or any
12 part of the laws specified in 2001 Wisconsin Act 109, section 9115 (2y) (b) is
13 unconstitutional, the ~~amendment~~ ^{repeal and recreation} of section ~~990.001 (11)~~ of the statutes by this act
14 is void. ^{as affected by this act}

SECTION 114. Appropriation changes.

16 (1) The unencumbered balance of the appropriation to the elections board
17 under section 20.510 (1) (h) of the statutes is transferred to the appropriation account
18 under section 20.680 (5) (h) of the statutes, as affected by this act, and the amount
19 in the schedule for section 20.680 (5) (h) of the statutes in fiscal year 2002-03 is
20 increased by the amount transferred.

21 (2) The unencumbered balance of the appropriation to the elections board
22 under section 20.510 (1) (i) of the statutes is transferred to the appropriation account
23 under section 20.680 (5) (i) of the statutes, as affected by this act, and the amount
24 in the schedule for section 20.680 (5) (i) of the statutes in fiscal year 2002-03 is
25 increased by the amount transferred.

5.02 (13), 11.05 (3) (c) or (9) (b), 11.06 (2) or (7m) (a) or (c), 11.16 (5), 11.26 (2) (intro.), (4), (8), (9) (a) (intro.) or (b) or 11.50 (9) (a)

5.02 (13), 11.01 (4m), 11.05 (3) (c) and (9) (b), 11.06 (2) and (7m) (a) and (c), 11.16 (5), 11.26 (2) (intro.), (4), (8), (9) (a) (intro.) and (b) and (10a) and 11.50 (9) (a)

1 11.26 (10a) (a) In this subsection, "consumer price index" means the average
2 of the consumer price index over each 12-month period, all items, U.S. city average,
3 as determined by the bureau of labor statistics of the U.S. department of labor.

4 (b) The dollar amounts of the limitations under sub. (8) are subject to a
5 quadrennial adjustment to be determined by rule of the board in accordance with this
6 subsection. To determine the adjustment, the board shall, in each year that the
7 adjustment is made, calculate the percentage difference between the consumer price
8 index for the 12-month period ending on December 31 of the preceding year and the
9 consumer price index for calendar year 2001. Beginning in 2006 and every 4 years
10 thereafter, the board shall multiply the amount of each limitation under sub. (8) by
11 the percentage difference in the consumer price indices. The board shall adjust the
12 amount of each limitation to substitute that result for the existing amount to the
13 extent required to reflect any difference, rounded to the nearest multiple of \$5. The
14 amount so determined shall then be in effect until a subsequent rule is promulgated
15 under this subsection. Notwithstanding s. 227.24 (1) (a), (2) (b), and (3),
16 determinations under this subsection may be promulgated as an emergency rule
17 under s. 227.24 without providing evidence that the emergency rule is necessary for
18 the public peace, health, safety, or welfare and without a finding of emergency.

19 ~~7. Page 7, line 2: after that line insert:~~

FWs
7-2

~~SECTION 15t. Initial applicability.~~

(1) COST OF LIVING ADJUSTMENTS. The ^{creation}~~treatment~~ of section 11.26 (10a) of the
statutes first applies to adjustments for the 4-year period beginning on January 1,
2006.

EFFECTIVE DATE

1. In the component bar: For the action phrase, execute: ... **create** → **action:** → *NS: → **effdate**
For the text, execute: **create** → **text:** → *NS: → **effdateA**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # ____ . **Effective date.**

(#1) () This act takes effect on

1. In the component bar: For the action phrase, execute: .. **create** → **action:** → *NS: → **effdateE**
For the text, execute: **create** → **text:** → *NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # ____ . **Effective dates;**

..... This act takes effect on the day after publication, except as follows:

(#1) () The ^{repeal and recreation} treatment of sections 3.02(13), 11.01(4m), 11.05(3)(c) and (9)(b), 11.06(2) and (7m)(a) and (c), 11.16(5) of the statutes takes effect on July 1, 2003 or on the day after publication ^{whichever is later.}

1. In the component bar: For the budget action phrase, execute: **create** → **action:** → *NS: → **94XX**
For the text, execute: **create** → **text:** → *NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9400 department code.

SECTION 94 ____ . **Effective dates;**

(#1) () The treatment of sections of the statutes takes effect on

11.26(2)(intro.), (4), (8), (9)(a) (intro.) and (b) and (10a) and 11.50(9)(a)

(End)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

-1993/1dn
LRB:1083/TGH
JTK:jkj:f

January 16, 2002

OX

Representative ^{Freese} ~~Pocan~~:

Currently, a political committee such as a political party is generally prohibited under s. 11.25 (2) (a), stats. from making a disbursement from moneys solicited for political purposes [as defined in s. 11.01 (16), stats.] for a purpose which is other than political. An "issue advocacy" expenditure might not necessarily fall within the definition of "political purpose." As a result, while it might be possible for a political party to make a contribution to a committee that was making traditional independent disbursements as well as issue advocacy expenditures, it might not be possible for a political party to knowingly finance "issue advocacy" expenditures (in this amendment, "independent expenditures"). Therefore, this amendment would only reach activity that is not currently prohibited.

^{draft}
Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1993/1dn
JTK:cx:ch

February 27, 2003

Representative Freese:

Currently, a political committee such as a political party is generally prohibited under s. 11.25 (2) (a), stats. from making a disbursement from moneys solicited for political purposes [as defined in s. 11.01 (16), stats.] for a purpose which is other than political. An "issue advocacy" expenditure might not necessarily fall within the definition of "political purpose." As a result, while it might be possible for a political party to make a contribution to a committee that was making traditional independent disbursements as well as issue advocacy expenditures, it might not be possible for a political party to knowingly finance "issue advocacy" expenditures (in this draft, "independent expenditures"). Therefore, this draft would only reach activity that is not currently prohibited.

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

Freese

Basford, Sarah

From: Richard, Rob
Sent: Thursday, February 27, 2003 5:57 PM
To: LRB.Legal
Subject: Draft review: LRB 03-1993/1 Topic: Elimination of legislative campaign committees; political party contribution limits

It has been requested by <Richard, Rob> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 03-1993/1 Topic: Elimination of legislative campaign committees; political party contribution limits