

2003 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB22)

Received: **05/15/2003**

Received By: **jkuesel**

Wanted: **Today**

Identical to LRB:

For: **Michael Ellis (608) 266-0718**

By/Representing: **Mike Boerger**

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

Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **Ethics**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Ellis@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

SSA to SB-22

Instructions:

Per LRBs0064/1 with permission of Sen. Reynolds (Les Wakefield), p/c, 5/15.
OK to transfer drafting file.

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 05/15/2003	csicilia 05/15/2003		_____			
/1			jfrantze 05/15/2003	_____	amentkow 05/15/2003	amentkow 05/15/2003	

FE Sent For:

<END>

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Senate Substitute Amendment (SSA-SB22)

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1? / 1	jkuesel	5/15 / 1 cjs	5/15 / 6/5/15	Self			
			03	5/15			

FE Sent For:

<END>

2003 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB22)

Received: **04/22/2003**

Received By: **jkuesel**

Wanted: **Soon**

Identical to LRB:

For: **Thomas Reynolds (608) 266-2512**

By/Representing: **Adam Peer**

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

Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **Ethics**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Reynolds@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

SSA to SB-22

Instructions:

Per attached memo.

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 04/22/2003	csicilia 04/23/2003		_____			
/1			pgreensl 04/23/2003	_____	sbasford 04/23/2003	sbasford 04/23/2003	

FE Sent For:

<END>



STAFF MEMORANDUM
OFFICE OF WISCONSIN
STATE SENATOR TOM REYNOLDS

To: Chief Steve Miller, Legislative Reference Bureau

From: Adam Peer, Senior Policy Advisor

Date: April 21, 2003

RE: Drafting Instructions: Substitute Amendment to Senate Bill 22

On behalf of Senator Reynolds, I am requesting that a Substitute Amendment to Senate Bill 22 be drafted that does all of the following:

1. Substitutes all of the sections of Engrossed 2003 Assembly Bill 1; and,
2. Includes candidates for public office or providing for the benefit of any person (section 3).

As Senate Bill 22 is scheduled for executive session in the Senate Committee on Education, Ethics, and Elections on Wednesday, April 23, 2003, the senator would very respectfully request that the substitute amendment be prepared in advance of the committee session.

I will be the primary policy advisor on this legislation. Please treat this request confidentially until directed otherwise. If you have any questions, please feel free to contact me. Thank you in advance for your services.

ASP

SAV

2003-2004 LEGISLATURE

wanted wed 4/23

20064/1
LRB-1159/2
JTK:cjs:cph

SENATE SUBSTITUTE AMDT -
TO 2003 ASSEMBLY BILL 122
SENATE

stays

January 22, 2003 - Introduced by Representatives GUNDRUM, GARD, KREUSER, KERKMAN, TRAVIS, OLSEN, HEBL, LOEFFELHOLZ, CULLEN, HAHN, ZIEGELBAUER, JENSEN, FRISKE, WARD, STONE, PLOUFF, PETTIS, LADWIG, GUNDERSON, GIELOW, MCCORMICK, SUDER, TOWNSEND, JESKEWITZ, ZEPNICK, J. FITZGERALD, VRAKAS, BIES, KESTELL, D. MEYER, KAUFERT, NISCHKE, MONTGOMERY, LEMAHIEU, WEBER, RHOADES, LOTHIAN, VAN AKKEREN, SHILLING, OTT, RICHARDS and LASSA, cosponsored by Senators REYNOLDS, HARSDFORF, MOORE, WELCH, STEPP, KEDZIE, CARPENTER, ROESSLER and PANZER. Referred to Committee on Judiciary.

Regen cat.

1 AN ACT to amend 11.25 (2) (b); to repeal and recreate 19.42 (3m), (4g) and (4r),
2 19.45 (13), 19.49 (1m), 19.49 (5) (a), 19.49 (5) (b), 19.53 (6), 19.535, 19.59 (f) (br),
3 19.59 (7) (a), 19.59 (7) (b), 19.59 (8) (c) and 19.59 (8) (cm) and (cn) of the statutes;
4 and to affect 2001 Wisconsin Act 109, section 9115 (2y) (b) and 2001 Wisconsin
5 Act 109, section 9415 (1zx); relating to: official action in return for providing
6 or withholding political contributions, services, or other things of value and
7 providing a penalty.

Analysis by the Legislative Reference Bureau

2001 Wisconsin Act 109 made various changes to campaign finance, ethics, lobbying regulation, income tax, public broadcasting, and cable television laws. Most changes made by Act 109 take effect on July 1, 2003. Most of these changes were made nonseverable so that if a court found that any of the provisions were unconstitutional, all of the provisions would then be invalid. On December 11, 2002, in *Wisconsin Realtors Association et al. v. Ponto et al.*, Case No. 02-C-424-C, the U.S. District Court for the Western District of Wisconsin found that one provision of Act 109 is unconstitutional. While this decision is subject to appeal, it apparently precludes enforcement and administration of all affected Act 109 changes as of December 11, 2002. The Act 109 changes, however, currently remain in the statutes.

ASSEMBLY BILL 1

This bill reenacts changes made by Act 109 to the ethics laws, effective on the day the bill becomes law. In the description which follows, "current law" means the law in effect before July 1, 2003.

Currently, no person may offer or give to a state public official, including a member of the legislature, directly or indirectly, and no state public official may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the state public official's vote, official actions, or judgment, or could reasonably be considered a reward for any official action or inaction on the part of the state public official.

Substitute amendment

This bill provides, in addition, that no state or local public official ~~holding an elective~~ office may, directly or by means of an agent, give, or offer or promise to give, or withhold, or offer or promise to withhold, his or her vote or influence, or promise to take or refrain from taking official action with respect to any proposed or pending matter in consideration of or upon condition that any other person make or refrain from making a political contribution, or provide or refrain from providing any service or other thing of value, to or for the benefit of ~~a candidate, a political party, any other person who is subject to a registration requirement under the campaign finance law, or any person making a mass communication that contains a reference to a clearly identified state or local public official or a candidate for state or local public office.~~

or candidate for state or local public

any person

Violators are subject to a forfeiture (civil penalty) of not more than \$5,000 for each violation, and are also subject to a forfeiture in an amount equal to the amount or value of any political contribution, service, or other thing of value that was wrongfully obtained, or if no political contribution, service, or other thing of value was obtained, an amount equal to the maximum contribution that an individual is permitted to make to a candidate for the office sought or held by the official, whichever amount is greater. Intentional violators are guilty of a ~~misdemeanor~~ and are subject to a fine of not ~~less than \$100 nor more than \$5,000~~ or imprisonment ~~in the county jail for not more than one year~~ or both. ~~(For not more than three years and~~

an investigation

Felony \$5,000

Substitute amendment

The bill also provides that, if the Ethics Board refuses or otherwise fails to authorize an investigation or a district attorney fails to initiate a prosecution with ~~in~~ respect to any violation of the prohibition created by the bill within 30 days after receiving a verified complaint alleging such a violation, the person making the complaint may ~~bring a lawsuit to recover a forfeiture on behalf of the state.~~ If the person making the complaint prevails, the bill provides that the court may require the defendant to pay the complainant's attorney fees and costs, but any forfeiture recovered must be paid to the state. If the court finds that a lawsuit was frivolous, the court must award fees and costs to the defendant. The bill provides that no complaint alleging a violation of the prohibition contained in the bill may be filed during the period beginning 120 days before a general or spring election or the date that a special election is ordered and ending on the date of that election against a candidate who files a declaration of candidacy to have his or her name appear on the ballot at that election.

six months

Substitute amendment

Substitute amendment

Substitute amendment

They file the complaint with the attorney general or the district attorney for a county that is adjacent to the county where the violation is alleged to occur.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a

adjacent county may then initiate a prosecution

ASSEMBLY BILL 1

report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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

1 SECTION 1. 11.25 (2) (b) of the statutes is amended to read:

2 11.25 (2) (b) Notwithstanding par. (a), a registrant may accept contributions
3 and make disbursements from a campaign depository account for the purpose of
4 making expenditures in connection with a campaign for national office; for payment
5 of civil penalties incurred by the registrant under this chapter but not under any
6 other chapter; or for payment of the expenses of nonpartisan campaigns to increase
7 voter registration or participation. Notwithstanding par. (a), a personal campaign
8 committee or support committee may accept contributions and make disbursements
9 from a campaign depository account for payment of inaugural expenses of an
10 individual who is elected to state or local office. If such expenses are paid from
11 contributions made to the campaign depository account, they are reportable under
12 s. 11.06 (1) as disbursements. Otherwise, such expenses are not reportable under s.
13 11.06 (1). If contributions from the campaign depository account are used for such
14 expenses, they are subject to s. 11.26.

15 SECTION 2. 19.42 (3m) ~~(4g) and (4r)~~ of the statutes, as created by 2001
16 Wisconsin Act 109, ~~is~~ ^{is} repealed and recreated to read:

17 19.42 (3m) "Candidate," except as otherwise provided, has the meaning given
18 in s. 11.01 (1).

19 ~~(4g) "Clearly identified," when used in reference to a communication~~
20 ~~containing a reference to a person, means one of the following:~~

21 (a) The person's name appears.

ASSEMBLY BILL 1

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1
2

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

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

(4r) "Communication" means a message transmitted by means of a printed advertisement, billboard, handbill, sample ballot, radio or television advertisement, telephone call, 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.

SECTION 3. 19.45 (13) of the statutes, as created by 2001 Wisconsin Act 109, is repealed and recreated to read:

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

SECTION 4. 19.49 (1m) of the statutes, as created by 2001 Wisconsin Act 109, is repealed and recreated to read:

19.49 (1m) No complaint alleging a violation of s. 19.45 (13) may be filed during the period beginning 120 days before a general or spring election, or during the period commencing on the date of the order of a special election under s. 8.50, and

ASSEMBLY BILL 1

1 ending on the date of that election, against a candidate who files a declaration of
2 candidacy to have his or her name appear on the ballot at that election.

3 **SECTION 5.** 19.49 (5) (a) of the statutes, as affected by 2001 Wisconsin Act 109,
4 is repealed and recreated to read:

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

8 **SECTION 6.** 19.49 (5) (b) of the statutes, as created by 2001 Wisconsin Act 109,
9 is repealed and recreated to read:

10 19.49 (5) (b) The period of limitation under par. (a) is tolled for a complaint
11 alleging a violation of s. 19.45 (13) or 19.59 (1) (br) for the period during which such
12 a complaint may not be filed under s. 19.49 (1m) or 19.59 (8) (cm).

13 **SECTION 7.** 19.53 (6) of the statutes, as affected by 2001 Wisconsin Act 109, is
14 repealed and recreated to read:

15 19.53 (6) An order requiring the accused to forfeit not more than \$500 for each
16 violation of s. 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of
17 any other provision of this subchapter, or not more than the applicable amount
18 specified in s. 13.69 for each violation of subch. III of ch. 13. If the board determines
19 that the accused has realized economic gain as a result of the violation, the board
20 may, in addition, order the accused to forfeit the amount gained as a result of the
21 violation. In addition, if the board determines that a state public official has violated
22 s. 19.45 (13), the board may order the official to forfeit an amount equal to the amount
23 or value of any political contribution, service, or other thing of value that was
24 wrongfully obtained. If the board determines that a state public official has violated
25 s. 19.45 (13) and no political contribution, service or other thing of value was

ASSEMBLY BILL 1

1 obtained, the board may order the official to forfeit an amount equal to the maximum
 2 contribution authorized under s. 11.26 (1) for the office held or sought by the official,
 3 whichever amount is greater. The attorney general, when so requested by the board,
 4 shall institute proceedings to recover any forfeiture incurred under this section or s.
 5 19.545 which is not paid by the person against whom it is assessed.

6 SECTION 8. 19.535 of the statutes, as created by 2001 Wisconsin Act 109, is
 repealed and recreated to read:

INS 7
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7 **19.535 Direct enforcement.** If the board refuses or otherwise fails to
 8 authorize an investigation under s. 19.49 (3) with respect to a violation of s. 19.45 (13)
 9 within 30 days after receiving a verified complaint alleging a violation of s. 19.45 (13),
 10 the person making the complaint may bring an action to recover the forfeiture under
 11 s. 19.53 (6) on his or her relation in the name, and on behalf, of the state. In such
 12 actions, the court may award actual and necessary costs of prosecution, including
 13 reasonable attorney fees, to the relator if he or she prevails, but any forfeiture
 14 recovered shall be paid to the state. If the court finds in any such action that the
 15 cause of action was frivolous as provided in s. 814.025, the court shall award costs
 16 and fees to the defendant under that section.

17
 18 SECTION 9. 19.59 (1) (br) of the statutes, as affected by 2001 Wisconsin Act 109,
 19 is repealed and recreated to read:

INS
 6-17

20 19.59 (1) (br) No local public official *or candidate for local public*
~~holding an elective~~ office may, directly or
 21 by means of an agent, give, or offer or promise to give, or withhold, or offer or promise
 22 to withhold, his or her vote or influence, or promise to take or refrain from taking
 23 official action with respect to any proposed or pending matter in consideration of, or
 24 upon condition that, any other person make or refrain from making a political
 25 contribution, or provide or refrain from providing any service or other thing of value,

ASSEMBLY BILL 1

1 to or for the benefit of ~~a candidate, a political party, any other person who is subject~~
 2 ~~to a registration requirement under s. 11.05, or any person making a communication~~
 3 ~~that contains a reference to a clearly identified local public official holding an elective~~
 4 ~~office or to a candidate for local public office.~~ *any person*

5 **SECTION 10.** 19.59 (7) (a) of the statutes, as affected by 2001 Wisconsin Act 109,
 6 is repealed and recreated to read:

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

12 **SECTION 11.** 19.59 (7) (b) of the statutes, as created by 2001 Wisconsin Act 109,
 13 is repealed and recreated to read:

14 19.59 (7) (b) Any person who violates sub. (1) may be required to forfeit not
 15 more than \$1,000 for each violation, and, if the court determines that a local public
 16 official has violated sub. (1) (br) and no political contribution, service or other thing
 17 of value was obtained, the court may, in addition, order the accused to forfeit an
 18 amount equal to the maximum contribution authorized under s. 11.26 (1) for the
 19 office held or sought by the official, whichever amount is greater.

20 **SECTION 12.** 19.59 (8) (c) of the statutes, as affected by 2001 Wisconsin Act 109,
 21 is repealed and recreated to read:

22 19.59 (8) (c) If the district attorney fails to commence an action to enforce sub.
 23 (1) (a), (b), or (c) to (g) within 20 days after receiving a verified complaint or if the
 24 district attorney refuses to commence such an action, the person making the

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 he 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) (b) 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~~

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) (e)~~, 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~~

STET: leave as
typed

ASSEMBLY BILL 1**SECTION 14**

1 ~~(8) (em) and (en)~~, 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
11 (9), ~~19.49 (5), and 19.59 (7)~~ of the statutes, the amendment of sections 5.02 (13), 5.05
12 (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
13 (3) (c), 11.05 (5), 11.05 (9) (b), 11.05 (12) (b), 11.05 (13), 11.06 (1) (intro.), 11.06 (1) (e),
14 11.06 (2), 11.06 (3) (b) (intro.), 11.06 (4) (b), 11.06 (5), 11.06 (7m) (a), 11.06 (7m) (b),
15 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),
16 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)
17 and (b), 11.20 (7), 11.20 (8) (intro.), 11.20 (8) (a), 11.20 (9), 11.20 (10) (a), 11.20 (12),
18 11.21 (2), 11.21 (15), 11.21 (16), 11.22 (3), 11.23 (1), 11.23 (2), 11.26 (1) (intro.), 11.26
19 (2) (intro.), 11.26 (2) (a), 11.26 (3), 11.26 (4), 11.26 (5), 11.26 (6), 11.26 (8), 11.26 (9)
20 (b), 11.26 (10), 11.26 (15), 11.26 (17) (a), 11.31 (1) (intro.), 11.31 (1) (a) to (d), 11.31 (1)
21 (e) and (f), 11.31 (2), 11.31 (2m) (title), 11.31 (3), 11.38 (1) (a) 2., 11.38 (6), 11.38 (8)
22 (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
23 (2) (g), 11.50 (2) (h), 11.50 (2) (i), 11.50 (6), 11.50 (7) (intro.), 11.50 (8), 11.50 (10m),
24 11.50 (11) (e), 11.60 (4), 11.61 (1) (a) (by SECTION 2d), ~~19.53 (6), 19.59 (8) (c)~~, 20.510
25 (1) (q), and 25.42 of the statutes, the repeal and recreation of sections 11.05 (9) (title)

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. (intro.), 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 (en)~~, and 806.04 (11m) of the statutes and
12 SECTIONS 9115 (2v) and (2w) and 9315 (2v) and (2w) of this act take effect on July 1,
13 2003.

14

(END)

STET: leave as
typed

**SENATE AMENDMENT ,
TO 2003 ASSEMBLY BILL 1**

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

- 2 **1.** Page 3, line 15: delete “, (4g) and (4r)”.
- 3 **2.** Page 3, line 16: delete “are” and substitute “is”.
- 4 **3.** Page 3, line 19: delete lines 19 to 21.
- 5 **4.** Page 4, line 1: delete lines 1 to 7 and substitute:

6 ~~SECTION 2a.~~ 19.42 (3s) of the statutes is created to read:

7 19.42 (3s) “Candidate for local public office” means any individual who files
8 nomination papers and a declaration of candidacy under s. 8.21 or who is nominated
9 at a caucus under s. 8.05 (1) for the purpose of appearing on the ballot for election
10 as a local public official or any individual who is nominated for the purpose of
11 appearing on the ballot for election as a local public official through the write-in
12 process or by appointment to fill a vacancy in nomination and who files a declaration
13 of candidacy under s. 8.21.

LPS:
Thaw all bill
section numbers

4-1



4-1

SECTION 2r. 19.42 (4g) and (4r) of the statutes, as created by 2001 Wisconsin

Act 109, are repealed.

end

5. Page 4, line 10: delete "holding an elective" and substitute "or candidate for state public".

6. Page 4, line 16: delete the material beginning with "a candidate" and ending with "public office" on line 19 and substitute "any person".

7. Page 6, line 20: delete "holding an elective" and substitute "or candidate for local public".

8. Page 7, line 1: delete the material beginning with "a candidate" and ending with "public office" on line 4 and substitute "any person".

(END)

**ASSEMBLY AMENDMENT 1,
TO 2003 ASSEMBLY BILL 1**

January 28, 2003 – Offered by Representatives GUNDRUM, STASKUNAS, MCCORMICK,
ALBERS, KERKMAN, GROTHMAN, HEBL and CULLEN.

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

2 **1.** Page 6, line 8: delete lines 8 to 17 and substitute:

3 **“19.535 Enforcement.** If the board receives a verified complaint alleging a
4 violation of s. 19.45 (13), the board shall, within 30 days after receipt of the
5 complaint, either authorize an investigation of the allegations contained in the
6 complaint under s. 19.49 (3) or dismiss the complaint. If the board dismisses the
7 complaint, with or without investigation, the board shall promptly notify the
8 complainant in writing. Upon receiving notification of the dismissal, the
9 complainant may then file the complaint with the attorney general, the district
10 attorney for the county where a violation is alleged to occur or the district attorney
11 for a county that is adjacent to that county. The attorney general or district attorney
12 may then investigate the allegations contained in the complaint and commence a
13 prosecution.

6-8



SECTION 8m. 19.579 of the statutes is created to read:

19.579 Civil penalty. Any person who violates s. 19.45 (13) may be required

to forfeit not more than \$5,000.

2. Page 8, line 10: delete lines 10 to 18 and substitute:

(cn) If the district attorney for the county in which a violation of sub. (1) (br) is alleged to occur receives a verified complaint alleging a violation of sub. (1) (br), the district attorney shall, within 30 days after receipt of the complaint, either commence an investigation of the allegations contained in the complaint or dismiss the complaint. If the district attorney dismisses the complaint, with or without investigation, the district attorney shall notify the complainant in writing. Upon receiving notification of the dismissal, the complainant may then file the complaint with the attorney general or the district attorney for a county that is adjacent to the county in which the violation is alleged to occur. The attorney general or district attorney may then investigate the allegations contained in the complaint and commence a prosecution.

(END)

6-8

end

NS
8-10

**ASSEMBLY AMENDMENT 2,
TO 2003 ASSEMBLY BILL 1**

January 28, 2003 - Offered by Representative CULLEN.

At the locations indicated, amend the bill as follows:

1. Page 6, line 17: after that line insert:

~~SECTION 8c.~~ 19.58 (1) of the statutes is renumbered 19.58 (1) (a) and amended to read:

19.58 (1) (a) Any person who intentionally violates any provision of this subchapter except s. 19.45 (13) or 19.59 (1) (br). or a code of ethics adopted or established under s. 19.45 (11) (a) or (b), shall be fined not less than \$100 nor more than \$5,000 or imprisoned not more than one year in the county jail or both.

SECTION 8m. 19.58 (1) (b) of the statutes is created to read:

19.58 (1) (b) Any person who intentionally violates s. 19.45 (13) or 19.59 (1) (br) is guilty of a Class I felony.

SECTION 8s. 19.58 (2) of the statutes is amended to read:

LPS:
Thaw all bill
section numbers

6-17



19.58 (2) The ~~penalty~~ penalties under sub. (1) ~~does~~ do not limit the power of either house of the legislature to discipline its own members or to impeach a public official, or limit the power of a department to discipline its state public officials or employees.

(END)

1
6-17
3

4
eng

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**SENATE SUBSTITUTE AMENDMENT ,
TO 2003 SENATE BILL 22**

94

Repeal cat

1 AN ACT *to repeal* 19.42 (4g) and (4r); *to renumber and amend* 19.58 (1); *to*
2 *amend* 11.25 (2) (b) and 19.58 (2); *to repeal and recreate* 19.42 (3m), 19.45
3 (13), 19.49 (1m), 19.49 (5) (a), 19.49 (5) (b), 19.53 (6), 19.535, 19.59 (1) (br), 19.59
4 (7) (a), 19.59 (7) (b), 19.59 (8) (c) and 19.59 (8) (cm) and (cn); *to create* 19.42 (3s),
5 19.579 and 19.58 (1) (b) of the statutes; and *to affect* 2001 Wisconsin Act 109,
6 section 9115 (2y) (b) and 2001 Wisconsin Act 109, section 9415 (1zx); **relating**
7 **to:** official action in return for providing or withholding political contributions,
8 services, or other things of value and providing a penalty.

Analysis by the Legislative Reference Bureau

Currently, no person may offer or give to a state public official, including a member of the legislature, directly or indirectly, and no state public official may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the state public official's vote, official actions, or judgment, or could reasonably be considered a reward for any official action or inaction on the part of the state public official.

This substitute amendment provides, in addition, that no state or local public official or candidate for state or local public office may, directly or by means of an

agent, give, or offer or promise to give, or withhold, or offer or promise to withhold, his or her vote or influence, or promise to take or refrain from taking official action with respect to any proposed or pending matter in consideration of or upon condition that any other person make or refrain from making a political contribution, or provide or refrain from providing any service or other thing of value, to or for the benefit of any person.

Violators are subject to a forfeiture (civil penalty) of not more than \$5,000 for each violation, and are also subject to a forfeiture in an amount equal to the amount or value of any political contribution, service, or other thing of value that was wrongfully obtained, or if no political contribution, service, or other thing of value was obtained, an amount equal to the maximum contribution that an individual is permitted to make to a candidate for the office sought or held by the official, whichever amount is greater. Intentional violators are guilty of a felony and are subject to a fine of not more than \$10,000 or imprisonment for not more than three years and six months or both.

The substitute amendment also provides that, if the Ethics Board refuses or otherwise fails to authorize an investigation or a district attorney fails to initiate an investigation with respect to any violation of the prohibition created by the substitute amendment within 30 days after receiving a verified complaint alleging such a violation, the person making the complaint may then file the complaint with the attorney general or the district attorney for a county that is adjacent to the county where the violation is alleged to occur. The attorney general or the district attorney for the adjacent county may then initiate a prosecution. The substitute amendment provides that no complaint alleging a violation of the prohibition contained in the substitute amendment may be filed during the period beginning 120 days before a general or spring election or the date that a special election is ordered and ending on the date of that election against a candidate who files a declaration of candidacy to have his or her name appear on the ballot at that election.

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

1 SECTION 1. 11.25 (2) (b) of the statutes is amended to read:
2 11.25 (2) (b) Notwithstanding par. (a), a registrant may accept contributions
3 and make disbursements from a campaign depository account for the purpose of
4 making expenditures in connection with a campaign for national office; for payment
5 of civil penalties incurred by the registrant under this chapter but not under any
6 other chapter; or for payment of the expenses of nonpartisan campaigns to increase
7 voter registration or participation. Notwithstanding par. (a), a personal campaign

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

8 **SECTION 2.** 19.42 (3m) of the statutes, as created by 2001 Wisconsin Act 109,
9 is repealed and recreated to read:

10 19.42 (3m) "Candidate," except as otherwise provided, has the meaning given
11 in s. 11.01 (1).

12 **SECTION 3.** 19.42 (3s) of the statutes is created to read:

13 19.42 (3s) "Candidate for local public office" means any individual who files
14 nomination papers and a declaration of candidacy under s. 8.21 or who is nominated
15 at a caucus under s. 8.05 (1) for the purpose of appearing on the ballot for election
16 as a local public official or any individual who is nominated for the purpose of
17 appearing on the ballot for election as a local public official through the write-in
18 process or by appointment to fill a vacancy in nomination and who files a declaration
19 of candidacy under s. 8.21.

20 **SECTION 4.** 19.42 (4g) and (4r) of the statutes, as created by 2001 Wisconsin Act
21 109, are repealed.

22 **SECTION 5.** 19.45 (13) of the statutes, as created by 2001 Wisconsin Act 109, is
23 repealed and recreated to read:

24 19.45 (13) No state public official or candidate for state public office may,
25 directly or by means of an agent, give, or offer or promise to give, or withhold, or offer

1 or promise to withhold, his or her vote or influence, or promise to take or refrain from
2 taking official action with respect to any proposed or pending matter in consideration
3 of, or upon condition that, any other person make or refrain from making a political
4 contribution, or provide or refrain from providing any service or other thing of value,
5 to or for the benefit of any person.

6 **SECTION 6.** 19.49 (1m) of the statutes, as created by 2001 Wisconsin Act 109,
7 is repealed and recreated to read:

8 19.49 (1m) No complaint alleging a violation of s. 19.45 (13) may be filed during
9 the period beginning 120 days before a general or spring election, or during the
10 period commencing on the date of the order of a special election under s. 8.50, and
11 ending on the date of that election, against a candidate who files a declaration of
12 candidacy to have his or her name appear on the ballot at that election.

13 **SECTION 7.** 19.49 (5) (a) of the statutes, as affected by 2001 Wisconsin Act 109,
14 is repealed and recreated to read:

15 19.49 (5) (a) Except as provided in par. (b), no action may be taken on any
16 complaint that is filed later than 3 years after a violation of this subchapter or subch.
17 III of ch. 13 is alleged to have occurred.

18 **SECTION 8.** 19.49 (5) (b) of the statutes, as created by 2001 Wisconsin Act 109,
19 is repealed and recreated to read:

20 19.49 (5) (b) The period of limitation under par. (a) is tolled for a complaint
21 alleging a violation of s. 19.45 (13) or 19.59 (1) (br) for the period during which such
22 a complaint may not be filed under s. 19.49 (1m) or 19.59 (8) (cm).

23 **SECTION 9.** 19.53 (6) of the statutes, as affected by 2001 Wisconsin Act 109, is
24 repealed and recreated to read:

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

17 **SECTION 10.** 19.535 of the statutes, as created by 2001 Wisconsin Act 109, is
18 repealed and recreated to read:

19 **19.535 Enforcement.** If the board receives a verified complaint alleging a
20 violation of s. 19.45 (13), the board shall, within 30 days after receipt of the
21 complaint, either authorize an investigation of the allegations contained in the
22 complaint under s. 19.49 (3) or dismiss the complaint. If the board dismisses the
23 complaint, with or without investigation, the board shall promptly notify the
24 complainant in writing. Upon receiving notification of the dismissal, the
25 complainant may then file the complaint with the attorney general, the district

1 attorney for the county where a violation is alleged to occur or the district attorney
2 for a county that is adjacent to that county. The attorney general or district attorney
3 may then investigate the allegations contained in the complaint and commence a
4 prosecution.

5 SECTION 11. 19.579 of the statutes is created to read:

6 **19.579 Civil penalty.** Any person who violates s. 19.45 (13) may be required
7 to forfeit not more than \$5,000.

8 SECTION 12. 19.58 (1) of the statutes is renumbered 19.58 (1) (a) and amended
9 to read:

10 19.58 (1) (a) Any person who intentionally violates any provision of this
11 subchapter except s. 19.45 (13) or 19.59 (1) (br), or a code of ethics adopted or
12 established under s. 19.45 (11) (a) or (b), shall be fined not less than \$100 nor more
13 than \$5,000 or imprisoned not more than one year in the county jail or both.

14 SECTION 13. 19.58 (1) (b) of the statutes is created to read:

15 19.58 (1) (b) Any person who intentionally violates s. 19.45 (13) or 19.59 (1) (br)
16 is guilty of a Class I felony.

17 SECTION 14. 19.58 (2) of the statutes is amended to read:

18 19.58 (2) The ~~penalty penalties~~ under sub. (1) does do not limit the power of
19 either house of the legislature to discipline its own members or to impeach a public
20 official, or limit the power of a department to discipline its state public officials or
21 employees.

22 SECTION 15. 19.59 (1) (br) of the statutes, as affected ^{created} by 2001 Wisconsin Act 109,
23 is repealed and recreated to read:

24 19.59 (1) (br) No local public official or candidate for local public office may,
25 directly or by means of an agent, give, or offer or promise to give, or withhold, or offer

1 or promise to withhold, his or her vote or influence, or promise to take or refrain from
2 taking official action with respect to any proposed or pending matter in consideration
3 of, or upon condition that, any other person make or refrain from making a political
4 contribution, or provide or refrain from providing any service or other thing of value,
5 to or for the benefit of any person.

6 **SECTION 16.** 19.59 (7) (a) of the statutes, as affected by 2001 Wisconsin Act 109,
7 is repealed and recreated to read:

8 19.59 (7) (a) Any person who violates sub. (1) may be required to forfeit not
9 more than \$1,000 for each violation, and, if the court determines that the accused has
10 violated sub. (1) (br), the court may, in addition, order the accused to forfeit an
11 amount equal to the amount or value of any political contribution, service, or other
12 thing of value that was wrongfully obtained.

13 **SECTION 17.** 19.59 (7) (b) of the statutes, as created by 2001 Wisconsin Act 109,
14 is repealed and recreated to read:

15 19.59 (7) (b) Any person who violates sub. (1) may be required to forfeit not
16 more than \$1,000 for each violation, and, if the court determines that a local public
17 official has violated sub. (1) (br) and no political contribution, service or other thing
18 of value was obtained, the court may, in addition, order the accused to forfeit an
19 amount equal to the maximum contribution authorized under s. 11.26 (1) for the
20 office held or sought by the official, whichever amount is greater.

21 **SECTION 18.** 19.59 (8) (c) of the statutes, as affected by 2001 Wisconsin Act 109,
22 is repealed and recreated to read:

23 19.59 (8) (c) If the district attorney fails to commence an action to enforce sub.
24 (1) (a), (b), or (c) to (g) within 20 days after receiving a verified complaint or if the
25 district attorney refuses to commence such an action, the person making the

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 19.** 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 for the county in which a violation of sub. (1) (br)
11 is alleged to occur receives a verified complaint alleging a violation of sub. (1) (br),
12 the district attorney shall, within 30 days after receipt of the complaint, either
13 commence an investigation of the allegations contained in the complaint or dismiss
14 the complaint. If the district attorney dismisses the complaint, with or without
15 investigation, the district attorney shall notify the complainant in writing. Upon
16 receiving notification of the dismissal, the complainant may then file the complaint
17 with the attorney general or the district attorney for a county that is adjacent to the
18 county in which the violation is alleged to occur. The attorney general or district
19 attorney may then investigate the allegations contained in the complaint and
20 commence a prosecution.

21 **SECTION 20.** 2001 Wisconsin Act 109, section 9115 (2y) (b) is amended to read:

22 [2001 Wisconsin Act 109] Section 9115 (2y) (b) Notwithstanding section
23 990.001 (11) of the statutes, if a court finds that any part of the repeal of sections
24 11.01 (12s), 11.05 (3) (o), 11.265, 11.50 (3), and 11.50 (10) of the statutes, the
25 renumbering of sections 11.05 (2r) (title), 11.24 (2), and 11.50 (1) (a) 1. of the statutes,

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

1 11.50 (2m), 11.50 (2s), 11.50 (2w), 11.50 (9) (b), 11.50 (14), 11.60 (3r), ~~19.42 (3m), (4g)~~
2 ~~and (4r), 19.45 (13), 19.49 (1m), 19.49 (5) (b), 19.535, 19.59 (1) (br), 19.59 (7) (b), 19.59~~
3 ~~(8) (cm) and (cn),~~ 71.07 (6s), 71.10 (3) (ac), 71.10 (3) (d), 71.10 (4) (gw), and 806.04
4 (11m) of the statutes or SECTIONS 9115 (2v), (2x), and (2y), 9132 (4v), 9215 (3v), 9244
5 (6v), 9315 (2v) and (2w), and 9344 (2v) of this act is unconstitutional, the treatment
6 of those provisions by this act is void.

7 **SECTION 21.** 2001 Wisconsin Act 109, section 9415 (1zx) is amended to read:

8 [2001 Wisconsin Act 109] Section 9415 (1zx) CAMPAIGN FINANCE AND RELATED
9 CHANGES. The repeal of sections 11.01 (12s), 11.05 (3) (o), 11.265, 11.50 (3), and 11.50
10 (10) of the statutes, the renumbering of sections 11.05 (2r) (title), 11.24 (2), and 11.50
11 (1) (a) 1. of the statutes, the renumbering and amendment of sections 11.05 (1), 11.05
12 (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
13 (9), ~~19.49 (5), and 19.59 (7)~~ of the statutes, the amendment of sections 5.02 (13), 5.05
14 (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
15 (3) (c), 11.05 (5), 11.05 (9) (b), 11.05 (12) (b), 11.05 (13), 11.06 (1) (intro.), 11.06 (1) (e),
16 11.06 (2), 11.06 (3) (b) (intro.), 11.06 (4) (b), 11.06 (5), 11.06 (7m) (a), 11.06 (7m) (b),
17 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),
18 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)
19 and (b), 11.20 (7), 11.20 (8) (intro.), 11.20 (8) (a), 11.20 (9), 11.20 (10) (a), 11.20 (12),
20 11.21 (2), 11.21 (15), 11.21 (16), 11.22 (3), 11.23 (1), 11.23 (2), 11.26 (1) (intro.), 11.26
21 (2) (intro.), 11.26 (2) (a), 11.26 (3), 11.26 (4), 11.26 (5), 11.26 (6), 11.26 (8), 11.26 (9)
22 (b), 11.26 (10), 11.26 (15), 11.26 (17) (a), 11.31 (1) (intro.), 11.31 (1) (a) to (d), 11.31 (1)
23 (e) and (f), 11.31 (2), 11.31 (2m) (title), 11.31 (3), 11.38 (1) (a) 2., 11.38 (6), 11.38 (8)
24 (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
25 (2) (g), 11.50 (2) (h), 11.50 (2) (i), 11.50 (6), 11.50 (7) (intro.), 11.50 (8), 11.50 (10m),

1 11.50 (11) (e), 11.60 (4), 11.61 (1) (a) (by SECTION 2d), ~~19.53 (6), 19.59 (8) (c)~~, 20.510
2 (1) (q), and 25.42 of the statutes, the repeal and recreation of sections 11.05 (9) (title)
3 and 11.50 (4) of the statutes, the creation of sections 11.001 (2m), 11.01 (4m), 11.01
4 (12w), (13) and (14), 11.01 (16) (a) 3., 11.01 (17g) and (17r), 11.05 (1) (b), 11.05 (2) (b),
5 11.05 (3) (m), 11.05 (3) (r), 11.06 (1) (cm) and (dm), 11.06 (2m) (b) to (d), 11.06 (11) (bm),
6 11.12 (6) (am), 11.12 (6) (c) and (d), 11.12 (8) and (9), 11.20 (2s), 11.20 (2t), 11.20 (8)
7 (am), 11.21 (17), 11.24 (1w), 11.24 (4), 11.26 (1m), 11.26 (1t), 11.26 (2) (ae), (am), (as)
8 and (av), 11.26 (2m), 11.26 (2t), 11.26 (8n), 11.26 (8r), 11.26 (9) (a) 1. to 4., 11.26 (9)
9 (am), 11.26 (9m), 11.26 (10a), 11.31 (1) (de), 11.31 (2m) (a), 11.31 (3p), 11.31 (9),
10 11.385, 11.50 (1) (a) 1. (intro.), 11.50 (1) (a) 2m., 11.50 (1) (am), 11.50 (1) (bm) and (cm),
11 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),
12 11.60 (3r), ~~19.42 (3m), (4g) and (4r), 19.45 (13), 19.49 (1m), 19.49 (5) (b), 19.535, 19.59~~
13 ~~(1) (br), 19.59 (7) (b), 19.59 (8) (cm) and (cn)~~, and 806.04 (11m) of the statutes and
14 SECTIONS 9115 (2v) and (2w) and 9315 (2v) and (2w) of this act take effect on July 1,
15 2003.

16 (END)