

2005 DRAFTING REQUEST

Bill

Received: **11/23/2004**

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:

Contributions to elective state officials restricted

Instructions:

Per 2003 SB-337.

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 12/20/2004	kfollett 01/13/2005		_____			Crime
/1			rschluet 01/13/2005	_____	sbasford 01/13/2005	lnorthro 01/20/2005	Crime
/2	jkuesel 01/31/2005	kfollett 01/31/2005	rschluet 01/31/2005	_____	lnorthro 01/31/2005	lnorthro 01/31/2005	

FE Sent For:

<END>

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1/1	jkuesel 12/20	1/1 klf					
		1/13					

FE Sent For:

13
5
<END>

Kuesel, Jeffery

From: Richard, Rob
Sent: Tuesday, November 16, 2004 2:37 PM
To: Kuesel, Jeffery
Subject: Bill Draft Requests

Jeff:

Please draft the following bills for the '05 session:

- 1) '03 AB 113 1989
- 2) '03 AB 114 1990
- 3) '03 AB 115 (as amended) 1991 AAA1
- 4) '03 AB 119 2013
- 5) '03 SB 337 3116

Thank you!

Rob Richard, Legislative Aide
Office of Rep. Steve Freese

kgf

2003 SENATE BILL 337

December 3, 2003 - Introduced by Senators HARSDORF, SCHULTZ, BROWN, STEPP, ELLIS and COWLES, cosponsored by Representatives FREESE, GUNDRUM, POCAN, BLACK, KESTELL, MUSSER, M. LEHMAN, LEMAHIEU, LADWIG, BIES, OLSEN, MCCORMICK, VAN ROY, HAHN, HINES, PETROWSKI, POPE-ROBERTS, GOTTLIEB and SERATTI. Referred to Committee on Education, Ethics and Elections.

Regen

1 AN ACT *to repeal and recreate* 11.24 (4) of the statutes; and *to affect* 2001
2 Wisconsin Act 109, section 9115 (2y) (b); **relating to:** acceptance of certain
3 political contributions by certain elective state officials and committees.

Analysis by the Legislative Reference Bureau

The bill prohibits any incumbent partisan elective state official or his or her personal campaign or authorized support committee from accepting any political contribution for the purpose of promoting his or her nomination or reelection to the office held by the official during the period from the first Monday in January of each odd-numbered year through the date of enactment of the biennial budget act. The prohibition does not apply to contributions accepted by an incumbent official who is subject to a recall election or by the official's personal campaign or authorized support committee from the date on which the petition for a recall election is filed until the date of the recall election.

Violators are subject to a forfeiture (civil penalty) of treble the amount or value of any unlawful contribution. Intentional violators are guilty of a misdemeanor and may be fined not more than \$1,000 or imprisoned for not more than six months or both.

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

SENATE BILL 337

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:

edit:
retain
109
in title

stet - stays

SECTION 1. 11.24 (4) of the statutes, ~~as created by 2001 Wisconsin Act 109~~, is repealed and recreated to read:

11.24 (4) (a) No incumbent partisan state elective official or personal campaign committee or support committee authorized under s. 11.05 (3) (p) of such an official may accept any contribution for the purpose of promoting that official's nomination or reelection to the office held by the official during the period beginning on the first Monday of January in each odd-numbered year and ending on the date of enactment of the biennial budget act.

(b) Notwithstanding par. (a), an incumbent partisan state elective official against whom a recall petition has been filed or personal campaign or authorized support committee of such an official may accept a contribution during the period beginning on the date on which the petition is filed under s. 9.10 (3) (b) and ending on the date of the recall election or the date on which the official resigns if the official resigns at an earlier date under s. 9.10 (3) (c).

SECTION 2. ~~2001 Wisconsin Act 109, section 9115 (2y) (b), as last affected by 2003 Wisconsin Act 39, is amended to read.~~

[2001 Wisconsin Act 109] Section 9115 (2y) (b) Notwithstanding section 990.001 (11) of the statutes, if a court finds that any part of the repeal of sections 11.01 (12s), 11.05 (3) (o), 11.265, 11.50 (3), and 11.50 (10) of the statutes, the renumbering of sections 11.05 (2r) (title), 11.24 (2), and 11.50 (1) (a) 1. of the statutes, the renumbering and amendment of sections 11.05 (1), 11.05 (2), 11.05 (2r), 11.12 (6),

SENATE BILL 337

1 11.26 (9) (a), 11.31 (2m), 11.50 (1) (a) 2., 11.50 (5), 11.50 (9), and 71.10 (3) (a) of the
2 statutes, the amendment of sections 5.02 (13), 5.05 (2), 7.08 (2) (c), 7.08 (2) (cm), 8.30
3 (2), 8.35 (4) (a) 1. a. and b., 8.35 (4) (c) and (d), 11.05 (3) (c), 11.05 (5), 11.05 (9) (b), 11.05
4 (12) (b), 11.05 (13), 11.06 (1) (intro.), 11.06 (1) (e), 11.06 (2), 11.06 (3) (b) (intro.), 11.06
5 (4) (b), 11.06 (5), 11.06 (7m) (a), 11.06 (7m) (b), 11.06 (7m) (c), 11.07 (1), 11.07 (5), 11.09
6 (3), 11.10 (1), 11.12 (2), 11.12 (4), 11.12 (5), 11.14 (3), 11.16 (2), 11.16 (5), 11.19 (title),
7 11.19 (1), 11.20 (1), 11.20 (2), 11.20 (3) (a) and (b), 11.20 (7), 11.20 (8) (intro.), 11.20
8 (8) (a), 11.20 (9), 11.20 (10) (a), 11.20 (12), 11.21 (2), 11.21 (15), 11.21 (16), 11.22 (3),
9 11.23 (1), 11.23 (2), 11.26 (1) (intro.), 11.26 (2) (intro.), 11.26 (2) (a), 11.26 (3), 11.26
10 (4), 11.26 (5), 11.26 (6), 11.26 (8), 11.26 (9) (b), 11.26 (10), 11.26 (15), 11.26 (17) (a),
11 11.31 (1) (intro.), 11.31 (1) (a) to (d), 11.31 (1) (e) and (f), 11.31 (2), 11.31 (2m) (title),
12 11.31 (3), 11.38 (1) (a) 2., 11.38 (6), 11.38 (8) (b), 11.50 (2) (a), 11.50 (2) (b) 3. and 4.,
13 11.50 (2) (b) 5., 11.50 (2) (c), 11.50 (2) (f), 11.50 (2) (g), 11.50 (2) (h), 11.50 (2) (i), 11.50
14 (6), 11.50 (7) (intro.), 11.50 (8), 11.50 (10m), 11.50 (11) (e), 11.60 (4), 11.61 (1) (a) (by
15 SECTION 2d), 20.510 (1) (q), 25.42, 71.08 (1) (intro.), and 71.10 (3) (b) of the statutes,
16 the repeal and recreation of sections 11.05 (9) (title) and 11.50 (4) of the statutes, the
17 creation of sections 11.001 (2m), 11.01 (4m), 11.01 (12w), (13) and (14), 11.01 (16) (a)
18 3., 11.05 (1) (b), 11.05 (2) (b), 11.05 (3) (m), 11.05 (3) (r), 11.06 (1) (cm) and (dm), 11.06
19 (2m) (b) to (d), 11.06 (11) (bm), 11.12 (6) (am), 11.12 (6) (c) and (d), 11.12 (8) and (9),
20 11.20 (2s), 11.20 (2t), 11.20 (8) (am), 11.24 (1w), ~~11.24 (4)~~, 11.26 (1m), 11.26 (1t), 11.26
21 (2) (ae), (am), (as) and (av), 11.26 (2m), 11.26 (2t), 11.26 (8n), 11.26 (8r), 11.26 (9) (a)
22 1. to 4., 11.26 (9) (am), 11.26 (9m), 11.26 (10a), 11.31 (1) (de), 11.31 (2m) (a), 11.31 (3p),
23 11.31 (9), 11.385, 11.50 (1) (a) 1. (intro.), 11.50 (1) (a) 2m., 11.50 (1) (am), 11.50 (1) (bm)
24 and (cm), 11.50 (2) (b) 6., 11.50 (2) (j), 11.50 (2m), 11.50 (2s), 11.50 (2w), 11.50 (9) (b),
25 11.50 (14), 11.60 (3r), 71.07 (6s), 71.10 (3) (ac), 71.10 (3) (d), 71.10 (4) (gw), and 806.04

SENATE BILL 337

SECTION 2

1 (11m) of the statutes or SECTIONS 9115 (2v), (2x), and (2y), 9132 (4v), 9215 (3v), 9244
2 (6v), 9315 (2v) and (2w), and 9344 (2v) of this act is unconstitutional, the treatment
3 of those provisions by this act is void.

4 (END)

Northrop, Lori

From: Richard, Rob
Sent: Wednesday, January 19, 2005 4:54 PM
To: LRB.Legal
Subject: Draft review: LRB 05-0981/1 Topic: Contributions to elective state officials restricted

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

Draft review: LRB 05-0981/1 Topic: Contributions to elective state officials restricted



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0981/12

JTK:kjf:gs

Wanted Mon 1/31 - 1pm

2005 BILL

Regen

1 **AN ACT to repeal and recreate** 11.24 (4) of the statutes; **relating to:** acceptance
2 of certain political contributions by certain elective state officials and
3 committees.

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The bill prohibits any incumbent partisan elective state official or his or her personal campaign or authorized support committee from accepting any political contribution for the purpose of promoting his or her nomination or reelection to the office held by the official during the period from the first Monday in January of each odd-numbered year through the date of enactment of the biennial budget act. The prohibition does not apply to contributions accepted by an incumbent official who is subject to a recall election or by the official's personal campaign or authorized support committee from the date on which the petition for a recall election is filed until the date of the recall election.

Violators are subject to a forfeiture (civil penalty) of treble the amount or value of any unlawful contribution. Intentional violators are guilty of a misdemeanor and may be fined not more than \$1,000 or imprisoned for not more than six months or both.

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BILL

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. 11.24 (4) of the statutes, as created by 2001 Wisconsin Act 109, is
2 repealed and recreated to read:

3 11.24 (4) (a) No incumbent partisan state elective official or personal campaign
4 committee or support committee authorized under s. 11.05 (3) (p) of such an official
5 may accept any contribution for the purpose of promoting that official's nomination
6 or reelection to the office held by the official during the period beginning on the first
7 Monday of January in each odd-numbered year and ending on the date of enactment
8 of the biennial budget act.

9 (b) Notwithstanding par. (a), an incumbent partisan state elective official
10 against whom a recall petition has been filed or personal campaign or authorized
11 support committee of such an official may accept a contribution during the period
12 beginning on the date on which the petition is filed under s. 9.10 (3) (b) and ending
13 on the date of the recall election or the date on which the official resigns if the official
14 resigns at an earlier date under s. 9.10 (3) (c).

(END)

15

FWS
2-14

**2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0981/2ins
JTK.....

INS 2-14:

SECTION 1. 11.60 (3p) of the statutes is created to read:

11.60 **(3p)** Notwithstanding sub. (1), any elective state official or personal campaign or authorized support committee of such an official who accepts a contribution in violation of s. 11.24 (4) shall forfeit treble the amount of the contribution.

Barman, Mike

From: Richard, Rob
Sent: Monday, January 31, 2005 12:06 PM
To: LRB.Legal
Subject: Draft review: LRB 05-0981/2 Topic: Contributions to elective state officials restricted

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

Draft review: LRB 05-0981/2 Topic: Contributions to elective state officials restricted