

2005-06 SESSION

COMMITTEE HEARING RECORDS

Assembly Committee on Campaigns & Elections (AC-CE)

Sample:

Record of Comm. Proceedings ... RCP

- 05hrAC-EdR_RCP_pt01a
- 05hrAC-EdR_RCP_pt01b
- 05hrAC-EdR_RCP_pt02

➤ Appointments ... Appt

➤ **

➤ Clearinghouse Rules ... CRule

➤ **

➤ Committee Hearings ... CH

➤ **

➤ Committee Reports ... CR

➤ **

➤ Executive Sessions ... ES

➤ **

➤ Hearing Records ... HR

➤ **

➤ Miscellaneous ... Misc

➤ **05hr_AC-CE_Misc_pt02**

➤ Record of Comm. Proceedings ... RCP


➤ **

NOTICE

This notice is to inform you that the proposed rulemaking of the State Elections Board, appearing in Clearinghouse Rule 05-027, amending EIBd.1.39(2), is submitted to the presiding officer of each house of the legislature. This submission includes the proposed rule, the Legislative Council's staff's report and the Elections Board's report. In addition, the Elections Board is placing in the Wisconsin Administrative Register a notice that the proposed rules have been submitted to the presiding officer of each house.

Dated May 19, 2005

STATE ELECTIONS BOARD



George A. Dunst
Legal Counsel

REPORT
OF
STATE ELECTIONS BOARD

Clearinghouse Rule 05-027
Rules Chapter ElBd. 1.39(2)
Wisconsin Administrative Code

Section El.Bd. 1.39(2)

1. Findings of fact:

This amended rule interprets ss.11.01(1), (6), (15), (16), 11.05(1), (7), 11.06(1), (3), (4), (12), 11.(07), 11.10(4), 11.24(2), 11.26(4), (10), 11.38(1), stats. The rule prohibits the conversion of federal campaign committees into state campaign committees and limits the contributions from federal campaign committees to state campaign committees to the maximum contribution allowable from a single committee to a candidate for the office sought..

Since the Bi-Partisan Campaign Reform Act of 2002, (BICRA), transfers of funds from a federal campaign committee to a state campaign committee had not been authorized under federal law. In November, 2004, Congress amended the Federal Election Campaign Act, (H.R. 4818, s.532(3) and 532(4), to permit the transfer of a federal candidate's campaign committee's funds to the candidate's state campaign committee, if state law permitted, and subject to the state law's requirements and restrictions.

Because of Congress' action in November, 2004, money which had not been available to a state committee under BICRA, and which might not have qualified for use for political purposes in a state campaign because of its source or because of other noncompliance with state law, could now be transferred to a state committee, if state law permitted. Wisconsin law, under the Board's current rule, ElBd 1.39, Wis. Adm. Code, allows for conversion of federal campaign committees, and their funds, to a state campaign committee without regard to the source of those funds and without regard to contribution limitations. The Board finds that prohibiting conversions and restricting such transfers to the maximum permissible for any other single committee to a candidate for the same office is found to be in the public interest

2. Conclusion and recommended action:

The State Elections Board unanimously concludes that ss.ElBd. 1.39(2) should be amended as described. The amendment to these rules is necessary to restrict the contribution of federal campaign committee funds to the maximum

allowable, under s.11.26(2) and (10), Stats. from any single committee in Wisconsin to a candidate for the office sought. The Board recommends promulgation of this rule.

3. Explanations of modifications to the proposed rule:

The State Elections Board makes no substantive modifications to this rule.

4. List of persons appearing at the public hearing:

No persons appeared at the public hearing that was held on May 18, 2005.


5. Response to Legislative Council staff report:

The State Elections Board adopts the Legislative Council's staff's comments and has incorporated the suggested changes in the rule, except that the Board did not attempt to define the term "convert" because the term has been in use for 28 years without dispute about its meaning; and the Board has eliminated all the language after the first sentence of par.(2)(b) of the rule because that language has no application if conversions are prohibited under par.(2)(a) of the rule.

Respectfully submitted,

May 19, 2005

STATE ELECTIONS BOARD


George A. Dunst
Legal Counsel

WISCONSIN ADMINISTRATIVE CODE

STATE ELECTIONS BOARD

SECTION 1. EIBd 1.39(2) is amended to read:

EIBd 1.39 Conversion of federal campaign committee to state committee prohibited.

(2)(a) A candidate's federal campaign committee may not be converted to a state campaign committee, ~~and~~

(b) A candidate's federal campaign committee may contribute ~~use~~ funds collected for federal purposes to ~~in the candidate's~~ a state or local campaign, not to exceed the maximum amount that may be contributed by a single committee to a candidate for the same office under ss.11.26(2) and (10), Stats., by filing a campaign finance registration statement, pursuant to s. 11.05, Stats., with the appropriate filing officer, ~~and simultaneously filing a campaign finance disclosure report showing the sources of all funds on hand being contributed at the time of the report, pursuant to the requirements of s. 11.06 (1) (a), (b), (c), (d) and (f), Stats. In determining the sources of funds on hand being contributed and allocating those funds among the sources, the funds shall be treated on a last in, last out basis, so that they will be attributed in the report to the most recent sources, in the full amount received from each source.~~

INITIAL REGULATORY FLEXIBILITY ANALYSIS:

The creation of this rule does not affect business.

FISCAL ESTIMATE:

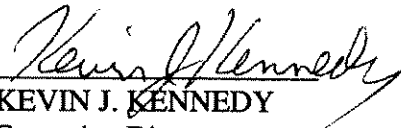
The creation of this rule has no fiscal effect.

CONTACT PERSON:

George A. Dunst
Legal Counsel, State Elections Board
17 W. Main Street, P.O. Box 2973
Madison, Wisconsin 53701-2973; Phone 266-0136

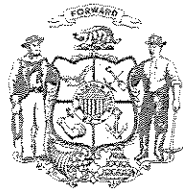
The creation of this rule will take effect on the first day of the month following its publication in the Wisconsin Administrative Register pursuant to s.227.22(2), Stats.

Dated May 19, 2005,



KEVIN J. KENNEDY
Executive Director

State Senator Tom Reynolds
FIFTH SENATE DISTRICT



Office: (608) 266-2512 • Toll Free: (866) 817-6061
Fax: (608) 267-0367 • In-District: (414) 456-9230

State Capitol, Room 306 South
P.O. Box 7882, Madison, WI 53707
Web Site: SenReynolds.com

November 2, 2005

VIA INTER-DEPARTMENTAL MAIL

Mr. George Dunst
Legal Counsel
Wisconsin State Elections Board
17 West Main Street, Suite 310
P.O. Box 2973
Madison, Wisconsin 53701-2973

Dear George:

Please be advised that the Senate Committee on Labor and Election Process Reform passed a motion this afternoon requesting the Elections Board to modify Clearinghouse Rule 05-061 to address the concerns expressed in the Statutory Authority comments in the Legislative Council Clearinghouse Report on the Rule. Members of the Committee also have concerns about the timeliness of the Rule that uses a \$250 minimum contribution threshold based upon a bill that has not been introduced.

If the Elections Board does not provide a written response agreeing to consider such modifications to Patrick Henneger, committee clerk for the Senate Committee on Labor and Election Process Reform by **noon on Friday, November 4th, 2005**, the Senate Committee on Labor and Election Process Reform objects to Clearinghouse Rule 05-061 on the grounds that the rule lacks statutory authority. I am hopeful the Elections Board will agree to modify the Rule and work with Committee members to address their concerns rather than force objection to the Rule. I look forward to hearing from you.

Sincerely,


Senator Tom Reynolds

Cc: Mr. Kevin Kennedy, Executive Director-State Elections Board
Members of the Senate Committee on Labor and Election Process Reform
Mr. Robert Marchant, Senate Chief Clerk
Hon. Steve Freese, Chair-Assembly Committee on Campaigns and Elections

TGR:pch



Wisconsin Speaker Pro Tempore
Representative Stephen J. Freese

MEMO

TO: Members, Assembly Committee on Campaigns & Elections
FROM: Rep. Steve Freese, Chair
DATE: November 1, 2005
RE: **Clearinghouse Rule 05-061**

Our jurisdiction on CR 05-061 will have run its course as of Saturday, November 5, 2005.

My staff and I have heard nothing from the committee members or the public on this proposed rule change. If no one has concerns we will not take any action on this rule.

Please contact my office by noon today with your comments on CR 05-061. Thank you.

Fifty-First Assembly District

Capitol Office: P.O. Box 8952 • Madison, Wisconsin 53708-8952
(608) 266-7502 • Toll-Free: (888) 534-0051 • Fax: (608) 261-9474 • Rep.Freese@legis.state.wi.us
District: 310 E. North • Dodgeville, Wisconsin 53533 • (608) 935-3789

**Committee on Campaigns and Elections
Memo Receipt**

Date: 11/1/05

Memo Re: CR 05-061

Committee Member

STAFF INITIAL UPON RECEIPT

Representative Stephen Freese 115 W

Representative Mark Gundrum 19 North *kw*

Representative Robin Vos 304 North *RV*

Representative Jeffrey Wood 7 North *JW*

Representative David Travis 223 North *DT*

Representative Fred Kessler 109 North *sl*

Griffiths, Terri

From: Henneger, Patrick
Sent: Friday, April 07, 2006 4:21 PM
To: Dunst, George
Cc: Griffiths, Terri; Rep.Freese
Subject: Notice of Objection to CHR 05-061

Hello Mr. Dunst:

The purpose of this email is to inform you that the Senate Committee on Labor and Election Process Reform has objected to Clearinghouse Rule 05-061. Please let me know if you have any questions.

Thank you,

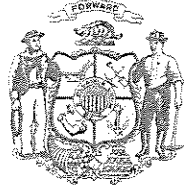
Patrick Henneger
Committee Clerk
Senate Committee on Labor and Election Process Reform
Office of Senator Tom Reynolds

Re: CR05-061

We put this on because our jurisdiction is running out. We have heard nothing from the committee members or the special interest groups on this and if no one has concerns we're not going to take this up.

00

State Senator Tom Reynolds
FIFTH SENATE DISTRICT



Office: (608) 266-2512 • Toll Free: (866) 817-6061
Fax: (608) 267-0367 • In-District: (414) 456-9230

State Capitol, Room 306 South
P.O. Box 7882, Madison, WI 53707
Web Site: SenReynolds.com

September 27, 2005

Mr. Kevin Kennedy
Executive Director
Wisconsin State Elections Board
17 West Main Street, Suite 310
P.O. Box 2973
Madison, Wisconsin 53701-2973

Jpm

*Send letter back
requesting migration*

Dear Kevin:

As you are aware, the Senate Committee on Labor and Election Process Reform recently received Clearinghouse Rule 05-061 promulgated by the Elections Board relating to the identification of individual contributions on campaign finances reports. My office recently spoke with George Dunst, legal counsel to the Elections Board, to schedule a meeting regarding CHR 05-061. Please allow this letter to confirm the meeting scheduled for Thursday September 29th at my office. I look forward to meeting with you and Mr. Dunst.

Sincerely,

A handwritten signature in cursive script that reads 'Tom Reynolds'.

Senator Tom Reynolds

Cc: Members of the Senate Committee on Labor and Election Process Reform
Mr. Robert Marchant, Senate Chief Clerk
Hon. Steve Freese, Chair-Assembly Committee on Campaigns and Elections

TGR:pch

PHONE CALL

FOR	Terri	DATE	4/25 Thurs.	TIME		A.M.	
M.	Patrick					P.M.	
OF	Reynold's office						
PHONE/ MOBILE	6-2512	FAX					
MESSAGE	Rule 05-061						
	Senate committee						
	would like to know more						
	about it, possible hearing						
SIGNED							

- TELEPHONED
- RETURNED YOUR CALL
- PLEASE CALL
- WILL CALL AGAIN
- CAME TO SEE YOU
- WANTS TO SEE YOU

State of Wisconsin \ Elections Board

Post Office Box 2973
17 West Main Street, Suite 310
Madison, WI 53701-2973
Voice (608) 266-8005
Fax (608) 267-0500
E-mail: seb@seb.state.wi.us
http://elections.state.wi.us



CARL HOLBORN
Chairperson

KEVIN J. KENNEDY
Executive Director

September 8, 2005

Assembly Committee on Campaigns and Elections
Representative Stephen Freese, Chair
115 West, State Capitol
Committee Clerk : Terri Griffiths

Senate Committee on Labor and Election Process Reform
Senator Tom Reynolds, Chair
306 South, Capitol
Committee Clerk : Patrick Henneger

Dear Ms. Griffiths and Mr. Henneger:

Enclosed please find a corrected version of the Elections Board's rule, Clearinghouse Rule 05-061. The original version of the rule, referred to each of your committees on September 7, 2005, contains an incorrect reference in par.(3)(c). Currently, par.(3)(c) refers to "divestiture of a contribution under par.(a)" when it should read "divestiture of a contribution under par.(b)." The corrected version of par.(3)(c) should read as follows:

(c) Divestiture of a contribution under par. (b) shall consist of returning the contribution to the contributor, or paying the amount of the contribution to the common school fund or to any other charitable organization.

The enclosed corrected version of the rule has made this change. The Legislative Council's office has suggested that modification of the rule under s.227.19(4)(b)3., Stats., should still be permissible.

If you have any questions about this matter, or if I can be of any other assistance, please give me a call. (608) 266-0136)

STATE ELECTIONS BOARD


George A. Dunst
Legal Counsel

AB 347
Rule 111
920-757-0480

WISCONSIN ADMINISTRATIVE CODE

STATE ELECTIONS BOARD

SECTION 1. EIBd 1.46(3) is created to read:

EIBd 1.46 Identification of individual contributors on campaign finance reports.

(3)(a) A registrant who files a campaign finance report which does not disclose all of the contributor information required by s.11.06(1)(a) or (b), Stats., shall, not later than 60 days after the due date for that report, notify the filing officer, in writing, of all the information required for each contribution included on that report or return the contribution to the contributor. A registrant who provides the required information or who returns the contribution to the contributor, within 60 days of the due date for the report, shall be considered to have made good faith compliance under s.11.06(5), Stats. and shall not be considered to have violated s.11.06(1), Stats.

(b) A registrant who does not provide the required information and does not return the contribution, within 60 days of the due date for the report, shall be considered to have failed to show good faith compliance under s.11.06(5), Stats.; and shall be considered to have violated s.11.06(1), Stats.; and, with respect to any contribution under par. (a) that exceeds \$250, shall divest itself of all of that contribution.

(c) Divestiture of a contribution under par. (b) shall consist of returning the contribution to the contributor, or paying the amount of the contribution to the common school fund or to any other charitable organization.

(d) The divestiture of the contribution after 60 days from the due date of the report shall not preclude the board's imposition of any civil penalties under s.11.60, Stats., if the circumstances warrant prosecution.

(e) The registrant's divestiture of a contribution under par. (a) shall be reported on its next succeeding campaign finance report.

INITIAL REGULATORY FLEXIBILITY ANALYSIS:

The creation of this rule does not affect business.

FISCAL ESTIMATE:

The creation of this rule has no fiscal effect.

CONTACT PERSON:

George A. Dunst
Legal Counsel, State Elections Board
17 W. Main Street, P.O. Box 2973
Madison, Wisconsin 53701-2973; Phone 266-0136

The creation of this rule will take effect on the first day of the month following its publication in the Wisconsin Administrative Register pursuant to s.227.22(2), Stats.

Dated September 2, 2005,

KEVIN J. KENNEDY
Executive Director

DATE: September 7, 2005

TO: Terri Griffiths

Committee on Campaigns and Elections

FROM: Patrick E. Fuller, Assembly Chief Clerk

RE: Clearinghouse Rules Referral

The following Clearinghouse Rule has been referred to your committee.

CLEARINGHOUSE RULE 05-061

AN ORDER to create EIBd 1.46 (3), relating to the identification of individual contributors on campaign finance reports

Submitted by **Elections Board**.

Report received from Agency on **September 2, 2005**.

To committee on **Campaigns and Elections**.

Referred on **Wednesday, September 7, 2005**.

Last day for action - **Friday, October 7, 2005**.

Under section 227.19 (4) of the Wisconsin Statutes, your committee has 30 days to take action or get an extension. The day **after** the official referral date is day one of your review period. Therefore, the 30th day should fall four weeks and two days after the referral date. For example, for Clearinghouse Rules referred on a Monday, a Wednesday would be your 30th day. For Clearinghouse Rules referred on a Tuesday, a Thursday would be your 30th day. For Clearinghouse Rules referred on a Wednesday, a Friday would be your 30th day. For Clearinghouse Rules referred on a Thursday or Friday, your 30th day would fall on a weekend. Therefore, your time would expire on the next working day (Monday) as provided for in s. 990.001 of the Wisconsin Statutes. Also, if the 30th day falls on a legal holiday, time would expire on the next working day.

Section 227.19 **requires** you to notify each member of your committee that you have received this Clearinghouse Rule. Although some committee chairs choose to do so, you are not required by law or rule to send a copy of the text of the rule to each member at this time. Instead, your notice could state that members should contact you if they wish to receive a hard copy of the rule. Another option would be to email the rule to members. **(Please note that the text of Rules beginning with the prefix "01" is available online in the Clearinghouse Rules infobase in FOLIO.)** Please put a copy of your official notification memo in the rule jacket.

Three copies of the Clearinghouse Rule and its accompanying documents are contained in the jacket. If you wish to have your Legislative Council attorney review the Clearinghouse Rule, send him/her a copy. I only need one copy remaining in the jacket when you report it out of committee at the end of the review period.

The identical process is happening simultaneously in the Senate. Keep track of their action on the rule.

For assistance with the Clearinghouse Rule process, please consult Kay Inabnet (6-5550) or your Legislative Council attorney. If you wish to learn more on this subject, read *Review of Administrative Rules* which is part of the Legislative Council's Wisconsin Legislator Briefing Book series, section 227.19 of the Wisconsin Statutes or part 2 of the *Administrative Rules Procedures Manual* written by the Revisor of Statutes Bureau and the Wisconsin Legislative Council staff.

EIBd 1.46 Identification of individual contributors on campaign finance reports.

EIBd 1.46(1)



(1) The requirement contained in s. 11.06 (1) (a), Stats., to furnish the street address of a contributor who has made a contribution or contributions aggregating more than \$20 in a calendar year includes the municipality and state as well as the street address. A complete postal address is sufficient to meet the disclosure requirement contained in the statute.

EIBd 1.46(2)



(2) The requirement contained in s. 11.06 (1) (b), Stats., to furnish the occupation and principal place of business, if any, of each individual contributor whose cumulative contributions for the calendar year are in excess of \$100 refers to the contributor's occupation and the name of the employing entity of the contributor. The listing of a business address only does not comply with the disclosure requirement of the statute.

EIBd 1.46 - ANNOT.



History: *Cr. Register, February, 1985, No. 350, eff. 3-1-85.*

11.06 Financial report information; application; funding procedure.

11.06(1)



(1) Contents of report. Except as provided in subs. (2), (3) and (3m) and ss. 11.05 (2r) and 11.19 (2), each registrant under s. 11.05 shall make full reports, upon a form prescribed by the board and signed by the appropriate individual under sub. (5), of all contributions received, contributions or disbursements made, and obligations incurred. Each report shall contain the following information, covering the period since the last date covered on the previous report, unless otherwise provided:

11.06 - ANNOT.



NOTE: Sub. (1)(intro.) was amended eff. 7-1-03 by 2001 Wis. Act 109 to read as shown below. Act 109, s. 9115, provided that if any treatments by Act 109 listed in s. 9115, including the treatment of this provision, was held to be unconstitutional by a court, then all of the listed treatments are void. The United States District Court for the Western District of Wisconsin in Wisconsin Realtors Assoc. v. Ponto, 233 F. Supp. 2d 1078 (2002), found the treatment of certain listed provisions unconstitutional, rendering the treatment of this provision void.

11.06 - ANNOT.



(1) Contents of report. Except as provided in subs. (2), (2m), and (3m) and s. 11.19 (2), each registrant under s. 11.05 shall make full reports, upon a form prescribed by the board and signed by the appropriate individual under sub. (5), of all contributions received, contributions or disbursements made, and obligations incurred. Each report shall contain the following information, covering the period since the last date covered on the previous report, unless otherwise provided:

11.06(1)(a)



(a) An itemized statement giving the date, full name and street address of each contributor who has made a contribution in excess of \$20, or whose contribution if \$20 or less aggregates more than \$20 for the calendar year, together with the amount of the contribution and the cumulative total contributions made by that contributor for the calendar year.

(2) Preprimary and preelection reports under s. 11.06 (1) shall be received by the appropriate filing officer no earlier than 14 days and no later than 8 days preceding the primary and the election.

11.20 - ANNOT.



NOTE: Sub. (2) was amended eff. 7-1-03 by 2001 Wis. Act 109 to read as shown below. Act 109, s. 9115, provided that if any treatments by Act 109 listed in s. 9115, including the treatment of this provision, was held to be unconstitutional by a court, then all of the listed treatments are void. The United States District Court for the Western District of Wisconsin in Wisconsin Realtors Assoc. v. Ponto, 233 F. Supp. 2d 1078 (2002), found the treatment of certain listed provisions unconstitutional, rendering the treatment of this provision void.

11.20 - ANNOT.



(2) In addition to any reports required under s. 11.12 (8), each candidate who seeks office at a primary or other election, or his or her personal campaign committee, shall file a preprimary and preelection report under s. 11.06 (1), which shall be received by the appropriate filing officer no earlier than 14 days and no later than 8 days preceding the primary and the election. Each candidate who is required to file reports under s. 11.12 (8), or his or her personal campaign committee, shall file each weekly report so that the report is received by the appropriate filing officer no earlier than the day after the end of the week to which the report pertains and no later than the day after the end of that week, and shall file each daily report so that the report is received no later than the end of the day following the day to which the report pertains.

11.20(2m)



(2m) Election reports under s. 11.12 shall be received by the appropriate filing officer no earlier than 23 days and no later than 30 days after each special election, unless a continuing report is required to be filed under sub. (4) on or before the 30th day after the special election.

11.20(2s)



(2s) A registrant that is required to file reports under s. 11.12 (6) (am) shall file the reports by the date required under s. 11.12 (6) (am).

11.20 - ANNOT.



NOTE: Sub. (2s) was created eff. 7-1-03 by 2001 Wis. Act 109. Act 109, s. 9115, provided that if any treatments by Act 109 listed in s. 9115, including the treatment of this provision, was held to be unconstitutional by a court, then all of the listed treatments are void. The United States District Court for the Western District of Wisconsin in Wisconsin Realtors Assoc. v. Ponto, 233 F. Supp. 2d 1078 (2002), found the treatment of certain listed provisions unconstitutional, rendering the treatment of this provision void.

11.20(2t)



(2t) A registrant that is required to file reports under s. 11.12 (6) (c) shall file the reports by the date required under s. 11.12 (6) (c).

11.20 - ANNOT.



NOTE: Sub. (2t) was created eff. 7-1-03 by 2001 Wis. Act 109. Act 109, s. 9115, provided that if any treatments by Act 109 listed in s. 9115, including the treatment of this provision, was held to be unconstitutional by a court, then all of the listed treatments are void. The United States District Court for the Western District of Wisconsin in Wisconsin Realtors Assoc. v. Ponto, 233 F. Supp. 2d 1078 (2002), found the treatment of certain listed provisions unconstitutional, rendering the treatment of this provision void.

11.20(3)



(3)

11.20(3)(a)



(a) A candidate or personal campaign committee of a candidate at a primary shall file a preprimary and preelection report. If a candidate for a nonpartisan state office at an election is not required to participate in a primary, the candidate or personal campaign committee of the candidate shall file a preprimary report at the time prescribed in sub. (2) preceding the date specified in s. 5.02 (20) or (22) for the holding of the primary, were it to be required.

11.20 - ANNOT.



NOTE: Par. (a) was amended eff. 7-1-03 by 2001 Wis. Act 109 to read as shown below. Act 109, s. 9115, provided that if any treatments by Act 109 listed in s. 9115, including the treatment of this provision, was held to be unconstitutional by a court, then all of the listed treatments are void. The United States District Court for the Western District of Wisconsin in Wisconsin Realtors Assoc. v. Ponto, 233 F. Supp. 2d 1078 (2002), found the treatment of certain listed provisions unconstitutional, rendering the treatment of this provision void.

11.20 - ANNOT.



(a) In addition to any reports required under s. 11.12 (8), a candidate or personal campaign committee of a candidate at a primary shall file a preprimary and preelection report. If a candidate for a nonpartisan state office at an election is not required to participate in a primary, the candidate or personal campaign committee of the candidate shall file a preprimary report at the time prescribed in sub. (2) preceding the date specified in s. 5.02 (20) or (22) for the holding of the primary, were it to be required.

11.20(3)(b)



(b) A candidate or personal campaign committee of a candidate at an election shall file a preelection report.

11.20 - ANNOT.



NOTE: Par. (b) was amended eff. 7-1-03 by 2001 Wis. Act 109 to read as shown below. Act 109, s. 9115, provided that if any treatments by Act 109 listed in s. 9115, including the treatment of this provision, was held to be unconstitutional by a court, then all of the listed treatments are void. The United States District Court for the Western District of Wisconsin in Wisconsin Realtors Assoc. v. Ponto, 233 F. Supp. 2d 1078 (2002), found the treatment of certain listed provisions unconstitutional, rendering the treatment of this provision void.

11.20 - ANNOT.



(b) In addition to any reports required under s. 11.12 (8), a candidate or personal campaign committee of a candidate at an election other than a primary shall file a preelection report.

11.20(3)(bm)



(bm) A candidate or personal campaign committee of a candidate at a special election shall file a postelection report whenever the report is required to be filed under sub. (2m).

11.20(3)(c)



(c) A registered committee or individual other than a candidate or personal campaign committee making or accepting contributions, making disbursements or incurring obligations in support of or in opposition to one or more candidates for office at a primary, or supporting or opposing other committees or individuals who are engaging in such activities, shall file a preprimary and preelection report.

11.20(3)(d)



(d) A registered committee or individual other than a candidate or personal campaign committee making or accepting contributions, making disbursements or incurring obligations in support of or in opposition to one or more candidates for office at an election, or supporting or opposing other committees or individuals who are engaging in such activities, shall file a preelection report.

11.20(3)(f)



(f) A contribution, disbursement or obligation in support of or in opposition to a candidate at a primary which is made, accepted or incurred during the period covered by the preprimary report is considered to be made, accepted or incurred in support of or in opposition to that candidate at the primary, regardless of whether the candidate is opposed at the primary.

11.20(3)(g)



(g) A contribution, disbursement or obligation in support of or in opposition to a candidate at an election which is made, accepted or incurred during the period covered by the preelection report is considered to be made, accepted or incurred in support of or in opposition to that candidate at the election, regardless of whether the candidate is opposed at the election.

11.20(3)(h)



(h) A registrant who or which makes, accepts or incurs a contribution, disbursement or obligation in support of or in opposition to a candidate at a primary during the period covered by the preprimary report shall file both the preprimary and preelection reports, regardless of whether the registrant engages in such activity during the period covered by the preelection report.

11.20(3)(i)



(i) Notwithstanding pars. (c) and (d), a registrant other than a candidate, personal campaign committee or political party committee who or which makes, accepts or incurs a contribution, disbursement or obligation in support of or in opposition to a candidate at a primary during the period covered by the preelection report, but does not engage in such activity during the period covered by the preprimary report, is not required to file a preprimary report.

11.20(3)(j)



(j) Notwithstanding pars. (c) and (d), a registrant other than a candidate, personal campaign committee or political party committee who or which makes, accepts or incurs a contribution, disbursement or obligation in support of or in opposition to a candidate at an election during the period covered by the report which follows the preelection report, but does not engage in such activity during the period covered by the preelection report, is not required to file a preelection report.

11.20(3)(k)



(k) A registered group or individual making or accepting contributions, making disbursements or incurring obligations in support of or in opposition to a referendum appearing on a primary ballot shall file a preprimary and preelection report.

11.20(3)(L)



(L) A registered group or individual making or accepting contributions, making disbursements or incurring obligations in support of or in opposition to a referendum appearing on an election ballot shall file a preelection report.



11.20(4)

(4) Continuing reports under s. 11.06 (1) by committees or individuals supporting or opposing candidates for office, including committees of a political party, and by individuals, groups or corporations supporting or opposing a referendum shall be received by the appropriate filing officer no earlier than January 1 and no later than January 31; and no earlier than July 1 and no later than July 20. Individuals, committees, groups and corporations to which s. 11.055 (1) applies shall pay the fee imposed under that subsection with their continuing reports filed in January of each year.



11.20(4m)

(4m) An individual who or committee which supports or opposes an effort to circulate and file a petition to recall an officer shall file a report with the appropriate filing officer no later than 30 days after registration of the petitioner for recall of the officer under s. 9.10 (2) (d), if the petition has not been offered for filing within 5 days of that date, and no later than 5 days after a petition is offered for filing demanding the recall of the officer.