

2009 DRAFTING REQUEST

Senate Substitute Amendment (SSA-AB494)

Received: **02/24/2010**

Received By: **jkuesel**

Wanted: **As time permits**

Identical to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing: **Ron Sklansky - LCS**

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: **Sen.Risser@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

SSA to AB-494

Instructions:

Per attached E mail, 2/24/10.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 02/27/2010	nmatzke 03/02/2010		_____			
/1			phenry 03/02/2010	_____	lparisi 03/02/2010	lparisi 03/02/2010	

FE Sent For:

<END>

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1?/1	jkuesel 2/27/10	1/nwn 3/1	3 ph	3/2			
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FE Sent For: **<END>**

Kuesel, Jeffery

To: Sklansky, Ron
Subject: RE: AB 494, relating to the methodology for filing campaign finance reports in electronic format

Ron,
I will take care of this request. I will enter under Sen. Risser and send you a copy.
Jeff

From: Sklansky, Ron
Sent: Wednesday, February 24, 2010 3:23 PM
To: Kuesel, Jeffery
Subject: AB 494, relating to the methodology for filing campaign finance reports in electronic format

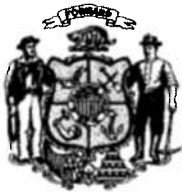
Jeff:

Sen. Risser has a drafting request for AB 494 (as shown by Assembly Substitute Amendment 1). He'd like a senate substitute amendment that does the following:

1. Retain the amended language of s. 11.21 (16) as provided in AB 494 and add the amendment made by SB 236 to the first sentence of that subsection. In other words, make electronic filing permissive rather than mandatory.
2. Delete SECTION 2 of AB 494.

If you have any questions about this, let me know. Thanks.

Ron



2009 SENATE BILL 236

July 1, 2009 - Introduced by Senators HANSEN, ELLIS, A. LASEE, VINEHOUT, RISSER, KEDZIE, CARPENTER, SCHULTZ, WIRCH, ERPENBACH, COWLES and KAPANKE, cosponsored by Representatives ZIEGELBAUER, ROTH, SCHNEIDER, KESSLER, BROOKS, BERCEAU, NASS, TOLES, BALLWEG, VOS and NERISON. Referred to Committee on Ethics Reform and Government Operations.

1 AN ACT *to amend* 11.21 (2), 11.21 (16) and 11.31 (6) (a) 9. of the statutes; **relating**
2 **to:** electronic filing of campaign finance reports.

Analysis by the Legislative Reference Bureau

Currently, each registrant for whom the Government Accountability Board serves as filing officer and who accepts contributions in a total amount or value of \$20,000 or more during a campaign period must file its campaign finance reports with the board electronically. For a registrant other than a candidate or a personal campaign committee or candidate support committee, the campaign period is a two-year period. Any registrant who or which is not required to file electronically may elect to do so.

This bill permits any registrant for whom the board serves as filing officer to file either electronically or on paper at the registrant's option.

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

3 SECTION 1. 11.21 (2) of the statutes is amended to read:
4 11.21 (2) Furnish to each registrant prescribed forms for the making of reports
5 and statements. Forms shall be sent by 1st class mail not earlier than 21 days and
6 not later than 14 days prior to the applicable filing deadline under s. 11.20, and

SENATE BILL 236**SECTION 1**

1 addressed to the attention of the treasurer or other person indicated on the
2 registration statement. Forms need not be sent to a registrant who has made an
3 indication that aggregate contributions, disbursements and obligations will not
4 exceed the amount specified under s. 11.05 (2r) or to a registrant who has been
5 granted a suspension under s. 11.19 (2). Forms for reports shall not be sent by the
6 board to a registrant if the registrant is required to file reports filed its most recent
7 report with the board in an electronic format, unless the registrant so requests.
8 Whenever any notice of filing requirements under this chapter is sent to a
9 candidate's campaign treasurer, the board shall also send a notice to the candidate
10 if he or she has appointed a separate treasurer. Failure to receive any form or notice
11 does not exempt a registrant from compliance with this chapter.

12 **SECTION 2.** 11.21 (16) of the statutes is amended to read:

13 11.21 (16) ~~Require each registrant for whom the board serves as filing officer~~
14 ~~and who or which accepts contributions in a total amount or value of \$20,000 or more~~
15 ~~during a campaign period to file each campaign finance report that is required to be~~
16 ~~filed under this chapter in an electronic format, and accept~~ Accept from any other
17 registrant for whom the board serves as a filing officer any campaign finance report
18 that is required to be filed under this chapter in an electronic format. ~~A registrant~~
19 ~~who or which becomes subject to a requirement to file reports in an electronic format~~
20 ~~under this subsection shall initially file the registrant's report in an electronic format~~
21 ~~for the period which includes the date on which the registrant becomes subject to the~~
22 ~~requirement. To facilitate implementation of this subsection, the~~ The board shall
23 specify, by rule, a type of software that is suitable for ~~compliance with the electronic~~
24 ~~filing requirement~~ reports electronically under this subsection chapter. The board
25 shall provide copies of the software to registrants at a price fixed by the board that

SENATE BILL 236

1 may not exceed cost. Each registrant who or which files a report under this
2 subsection in an electronic format shall also file a copy of the report with the board
3 that is recorded on a medium specified by the board. The copy shall be signed by an
4 authorized individual and filed with the board by each registrant no later than the
5 time prescribed for filing of the report under this chapter. The board shall provide
6 complete instructions to any registrant who or which files a report ~~under this~~
7 ~~subsection. In this subsection, the "campaign period" of a candidate, personal~~
8 ~~campaign committee or support committee begins and ends with the "campaign" of~~
9 ~~the candidate whose candidacy is supported, as defined in s. 11.26 (17), and the~~
10 ~~"campaign period" of any other registrant begins on January 1 of each~~
11 ~~odd-numbered year and ends on December 31 of the following year~~ electronically.

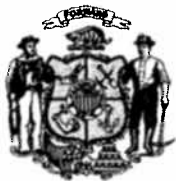
12 **SECTION 3.** 11.31 (6) (a) 9. of the statutes is amended to read:

13 11.31 **(6)** (a) 9. The cost of services and materials purchased from a service
14 provider for the purpose of ~~compliance with the electronic filing requirement~~ reports
15 electronically under s. 11.21 (16).

16 **SECTION 4. Initial applicability.**

17 (1) This act first applies with respect to campaign finance reports that become
18 due for filing on the effective date of this subsection.

19 (END)



State of Wisconsin
2009 - 2010 LEGISLATURE

50307/1
LRBs0202/2
JTK:jld&wlf:ph
nwn

Wanted by me 3/2

SENATE
ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 494

December 11, 2009 - Offered by Representative MASON.

SA/
X-ref ✓

Any registrant who or which is not required to file electronically may elect to do so.

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AN ACT ^(regenerate) to amend 11.21 (16); and to create 11.211 of the statutes; relating to:

~~the methodology for~~ ^{electronic} filing campaign finance reports ~~in electronic format~~ ^{of}

Analysis by the Legislative Reference Bureau

Currently, each registrant under the campaign finance law for whom the Government Accountability Board (GAB) serves as filing officer and who or which accepts political contributions in a total amount or value of \$20,000 or more during a campaign period, as defined by law, must file reports in an electronic format. GAB is directed to specify, by rule, a type of software that is suitable for compliance with the electronic filing requirement. GAB must provide copies of the software to registrants at a price fixed by GAB that may not exceed cost.

with GAB

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~~The~~ substitute amendment directs GAB to provide an Internet-based system that registrants may use to file campaign finance reports in an electronic format. The substitute amendment also directs GAB to permit registrants to file campaign finance reports in electronic format either by using the Internet-based system or by using software that produces a delimited file (such as Microsoft Office Excel software). The substitute amendment directs GAB to specify, by rule, the type of, and specifications for, the delimited file that may be used.

Currently, before a rule may be promulgated by GAB, the proposed rule must be submitted for the review and approval and disapproval by the appropriate standing committees of the legislature during a specified review period. If a standing committee objects to a proposed rule during a specified review period, the proposed

rule is subject to review and disapproval by the Joint Committee for Review of Administrative Rules (JCRAR) during a specified review period. Any action by JCRAR expires on a date specified by law unless it is affirmed by law prior to that date. This substitute amendment provides, in addition, that any proposed rule of GAB relating to the use of software for electronic filing of campaign finance reports must be submitted by GAB, following completion of the current review process, to the Joint Committee on Finance, which may modify or disapprove the proposed rule during a specified review period.

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

SECTION I. 11.21 (16) of the statutes is amended to read:

11.21 (16) Require each registrant for whom the board serves as filing officer and who or which accepts contributions in a total amount or value of \$20,000 or more during a campaign period to file each campaign finance report that is required to be filed under this chapter in an electronic format, and accept from any other registrant for whom the board serves as a filing officer any campaign finance report that is required to be filed under this chapter in an electronic format. A registrant who or which becomes subject to a requirement to file reports in an electronic format under this subsection shall initially file the registrant's report in an electronic format for the period which includes the date on which the registrant becomes subject to the

requirement. To facilitate implementation of this subsection, the The board shall provide an Internet-based system that registrants may use to file campaign finance reports in an electronic format. The board shall permit registrants to file campaign finance reports in ^{an} electronic format either by using the Internet-based system or by using software that produces a delimited file. The board shall specify, by rule, a type of software that is suitable the type of, and specifications for, the delimited file that may be used for compliance with the electronic filing requirement under this subsection. Any rule or revision of a rule under this subsection is subject to approval

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18

↓ compliance with the electronic filing requirement
↓ reports electronically
↓ chapter

1 ~~under s. 11.211.~~ The board shall provide copies of the software to registrants at a

2 price fixed by the board that may not exceed cost. Each registrant who or which files

3 a report under this subsection in an electronic format shall also file a copy of the

4 report with the board that is recorded on a medium specified by the board. The copy

5 shall be signed by an authorized individual and filed with the board by each

6 registrant no later than the time prescribed for filing of the report under this chapter.

7 The board shall provide complete instructions to any registrant who or which files

8 a report ~~under this subsection.~~ In this subsection, the "campaign period" of a

9 ~~candidate, personal campaign committee or support committee begins and ends with~~

10 ~~the "campaign" of the candidate whose candidacy is supported, as defined in s. 11.26~~

11 ~~(17), and the "campaign period" of any other registrant begins on January 1 of each~~

12 ~~odd-numbered year and ends on December 31 of the following year.~~ electronically

13 SECTION 2. 11.211 of the statutes is created to read:

14 **11.211 Review of software rules; special procedure.** Following

15 completion of the review of a proposed rule or revision of a rule under s. 11.21 (16)

16 by the legislative council staff under s. 227.15 (2) and any review by the department

17 of administration under s. 227.138 (2), and prior to submittal of the notice required

18 under s. 227.19 (2), the board shall submit the proposed rule or revision to the

19 cochairpersons of the joint committee on finance for review of the committee. If the

20 cochairpersons do not notify the board that the committee has scheduled a meeting

21 for the purpose of reviewing the proposed rule or revision within 14 working days

22 after the date of the board's submittal, the board may submit the notice required

23 under s. 227.19 (2). Notwithstanding s. 227.19 (2), if, within 14 working days after

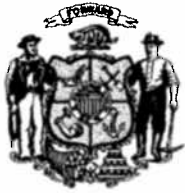
24 the date of the board's submittal, the cochairpersons of the committee notify the

25 board that the committee has scheduled a meeting for the purpose of reviewing the

1 proposed rule or revision, the board shall not submit the notice required under s.
2 227.19 (2) for the proposed rule or revision unless the committee approves the
3 proposed rule or revision or modifies and approves the proposed rule or revision. If
4 the committee modifies and approves the proposed rule or revision, the board may
5 submit the notice required under s. 227.19 (2) for the proposed rule or revision only
6 as modified by the committee. If, after submitting the notice required under s. 227.19
7 (2), the board determines to modify the proposed rule or revision, the board shall
8 resubmit the proposed rule or revision to the cochairpersons of the committee under
9 this section.

(END)

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2009 SENATE BILL 236

July 1, 2009 - Introduced by Senators HANSEN, ELLIS, A. LASEE, VINEHOUT, RISSER, KEDZIE, CARPENTER, SCHULTZ, WIRCH, ERPENBACH, COWLES and KAPANKE, cosponsored by Representatives ZIEGELBAUER, ROTH, SCHNEIDER, KESSLER, BROOKS, BERCEAU, NASS, TOLES, BALLWEG, VOS and NERISON. Referred to Committee on Ethics Reform and Government Operations.

1 AN ACT *to amend* 11.21 (2), 11.21 (16) and 11.31 (6) (a)-9. of the statutes; relating
2 to: electronic filing of campaign finance reports.

Analysis by the Legislative Reference Bureau

Currently, each registrant for whom the Government Accountability Board serves as filing officer and who accepts contributions in a total amount or value of \$20,000 or more during a campaign period must file its campaign finance reports with the board electronically. For a registrant other than a candidate or a personal campaign committee or candidate support committee, the campaign period is a two-year period. Any registrant who or which is not required to file electronically may elect to do so.

PS 1A This bill permits any registrant for whom the board serves as filing officer to file either electronically or on paper at the registrant's option. *FAB* *no #* *1A*

Substitute amendment

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

3 SECTION ^{*R*} 11.21 ^{*X*} (2) of the statutes is amended to read:

4 11.21 (2) Furnish to each registrant prescribed forms for the making of reports
5 and statements. Forms shall be sent by 1st class mail not earlier than 21 days and
6 not later than 14 days prior to the applicable filing deadline under s. 11.20, and

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2-1



SENATE BILL 236

SECTION 1

1 addressed to the attention of the treasurer or other person indicated on the
 2 registration statement. Forms need not be sent to a registrant who has made an
 3 indication that aggregate contributions, disbursements and obligations will not
 4 exceed the amount specified under s. 11.05 (2r) or to a registrant who has been
 5 granted a suspension under s. 11.19 (2). Forms for reports shall not be sent by the
 6 board to a registrant if the registrant is required to file reports filed its most recent
 7 report with the board in an electronic format, unless the registrant so requests. ✓
 8 Whenever any notice of filing requirements under this chapter is sent to a
 9 candidate's campaign treasurer, the board shall also send a notice to the candidate
 10 if he or she has appointed a separate treasurer. Failure to receive any form or notice
 11 does not exempt a registrant from compliance with this chapter. ✓

~~SECTION 2. 11.21 (16) of the statutes is amended to read:~~

12
 13 11.21 (16) Require each registrant for whom the board serves as filing officer
 14 and who or which accepts contributions in a total amount or value of \$20,000 or more
 15 during a campaign period to file each campaign finance report that is required to be
 16 filed under this chapter in an electronic format, and accept Accept from any other
 17 registrant for whom the board serves as a filing officer any campaign finance report
 18 that is required to be filed under this chapter in an electronic format. ✓ A registrant
 19 who or which becomes subject to a requirement to file reports in an electronic format
 20 under this subsection shall initially file the registrant's report in an electronic format
 21 for the period which includes the date on which the registrant becomes subject to the
 22 requirement. ^{no} To facilitate implementation of this subsection, the The board shall
 23 specify, by rule, a type of software that is suitable for compliance with the electronic
 24 filing requirement reports electronically under this subsection chapter. The board
 25 shall provide copies of the software to registrants at a price fixed by the board that

Handwritten circled notes: "WS 4" and "2-1" with an arrow pointing down.

Handwritten circled notes: "WS 2" and "2" with an arrow pointing down.

Handwritten note: "no" with an arrow pointing to the word "The" in line 22.

SENATE BILL 236

1 may not exceed cost. Each registrant who or which files a report under this
 2 subsection in an electronic format shall also file a copy of the report with the board
 3 that is recorded on a medium specified by the board. The copy shall be signed by an
 4 authorized individual and filed with the board by each registrant no later than the
 5 time prescribed for filing of the report under this chapter. The board shall provide
 6 complete instructions to any registrant who or which files a report under this
 7 subsection. In this subsection, the "campaign period" of a candidate, personal
 8 campaign committee or support committee begins and ends with the "campaign" of
 9 the candidate whose candidacy is supported, as defined in s. 11.26 (17), and the
 10 "campaign period" of any other registrant begins on January 1 of each
 11 odd-numbered year and ends on December 31 of the following year electronically.

12 ~~SECTION 5.~~ 11.31 (6) (a) 9. of the statutes is amended to read:

13 11.31 (6) (a) 9. The cost of services and materials purchased from a service
 14 provider for the purpose of compliance with the electronic filing requirement reports
 15 electronically under s. 11.21 (16).[✓]

JMS
4-9

16 ~~SECTION 4.~~ **Initial applicability.**

17 (1) This act first applies with respect to campaign finance reports that become
 18 due for filing on the effective date of this subsection.[✓]

19 ~~(END)~~