



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 913**

1 **AN ACT** *to repeal* 11.522 (2); *to renumber* 11.522 (1); *to amend* 11.26 (9) (a) and
2 (b), 11.501 (7), (13) and (15), 11.509, 11.511 (1) and 11.522 (title); *to create*
3 11.511 (7) of the statutes; and *to affect* 2009 Wisconsin Act 89, section 31 (1);
4 **relating to:** public financing of campaigns for the office of justice of the
5 supreme court.

Analysis by the Legislative Reference Bureau

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

6 **SECTION 1.** 11.26 (9) (a) and (b) of the statutes, as affected by 2009 Wisconsin
7 Act 89, are amended to read:

8 11.26 **(9)** (a) Except as provided in par. (ba), no individual who is a candidate
9 for state or local office may receive and accept more than 65 percent of the value of

1 the total disbursement level determined under s. 11.31 or 11.511 (7) (a) for the office
2 for which he or she is a candidate during any primary and election campaign
3 combined from all committees subject to a filing requirement, including political
4 party and legislative campaign committees.

5 (b) Except as provided in par. (ba), no individual who is a candidate for state
6 or local office may receive and accept more than 45 percent of the value of the total
7 disbursement level determined under s. 11.31 or 11.511 (7) (a) for the office for which
8 he or she is a candidate during any primary and election campaign combined from
9 all committees other than political party and legislative campaign committees
10 subject to a filing requirement.

11 **SECTION 2.** 11.501 (7), (13) and (15) of the statutes, as created by 2009
12 Wisconsin Act 89, are amended to read:

13 11.501 (7) “Exploratory period” means the period that begins after the date of
14 a spring election immediately preceding a public financing qualifying period and
15 ends on the first day of the public financing qualifying period for the next election
16 for justice.

17 (13) “Primary election campaign period” means the period beginning on the
18 day after the last day prescribed by law for filing nomination papers for ~~that~~ the office
19 of justice and ending on the day of the spring primary election for that office or the
20 day on which the primary election would be held, if required.

21 (15) “Public financing qualifying period” means, for each election for the office
22 of justice, the period beginning on the first day of July of ~~any~~ the year immediately
23 preceding the year of that election and ending on the day before the beginning of the
24 primary election campaign period for that office.

1 **SECTION 3.** 11.509 of the statutes, as created by 2009 Wisconsin Act 89, is
2 amended to read:

3 **11.509 Excess contributions.** If an eligible candidate receives and accepts
4 excess seed money contributions or qualifying contributions ~~on~~ in an aggregate
5 basis, ~~the candidate may retain the contributions and make disbursements derived~~
6 ~~from the contributions, in an amount not exceeding \$15,000. An amount equivalent~~
7 ~~to the excess contributions shall be deducted by the board from the candidate's public~~
8 ~~financing benefit. An eligible candidate~~ amount greater than the limits prescribed
9 in s. 11.502 (2) or 11.508 (1), the candidate shall transfer to the board all seed money
10 and qualifying contributions that exceed the limits prescribed in this section within
11 48 hours after the end of the ~~exploratory~~ public financing qualifying period. The
12 board shall deposit all contributions transferred under this section in the democracy
13 trust fund.

14 **SECTION 4.** 11.511 (1) of the statutes, as created by 2009 Wisconsin Act 89, is
15 amended to read:

16 **11.511 (1)** The state treasurer shall provide to each eligible candidate who
17 qualifies to receive a public financing benefit for the primary or election campaign
18 period separate lines of credit for the public financing benefits payable to the
19 candidate for the primary and election campaign periods in the amounts specified
20 in this section, subject to any required adjustment under s. ~~11.509~~, 11.512 (2) or
21 11.513 (2). An eligible candidate may use this public financing benefit to finance any
22 lawful disbursements during the primary and election campaign periods to further
23 the election of the candidate in that primary or election. An eligible candidate shall
24 not use this public financing benefit to repay any loan, or in violation of ss. 11.502
25 to 11.522 or any other applicable law.

1 **SECTION 5.** 11.511 (7) of the statutes is created to read:

2 11.511 (7) (a) Except as provided in par. (b), no candidate for the office of justice
3 who files an application for a public financing benefit and certification under s. 11.51
4 (1) and who accepts a public financing benefit may make or authorize total
5 disbursements in a campaign, beginning with the first day of the exploratory period
6 and ending on the date of the spring election, to the extent of more than the maximum
7 amounts specified in ss. 11.502 (2) and 11.508 (1), plus the amount specified in s.
8 11.511 (3), as adjusted under s. 11.511 (6), and, if there is a primary for the office of
9 justice, the amount specified in s. 11.511 (2), as adjusted under s. 11.511 (6).

10 (b) If a candidate specified in par. (a) receives an additional public financing
11 benefit under s. 11.512 (2) or 11.513 (2), the candidate may make disbursements in
12 a campaign under par. (a) in an additional amount equivalent to the additional public
13 financing benefit received.

14 **SECTION 6.** 11.522 (title) of the statutes, as created by 2009 Wisconsin Act 89,
15 is amended to read:

16 **11.522** (title) **Contributions to nonparticipating candidates;**
17 **attributions.**

18 **SECTION 7.** 11.522 (1) of the statutes, as created by 2009 Wisconsin Act 89, is
19 renumbered 11.522.

20 **SECTION 8.** 11.522 (2) of the statutes, as created by 2009 Wisconsin Act 89, is
21 repealed.

22 **SECTION 9.** 2009 Wisconsin Act 89, section 31 (1) is amended to read:

23 [2009 Wisconsin Act 89] Section 31 (1) This act takes effect on ~~December~~ May
24 1 following the date of publication.

25 **SECTION 10. Nonstatutory provisions.**

