

1975 Assembly Bill 693

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CHAPTER 93, Laws of 1975

AN ACT to repeal 7.08 (5), 8.35 (2m), 11.20 (4), 11.22 (1) to (6) and (7) (i), 11.26 (1) (b) and 11.31 (1) (a) and (b); to renumber 11.01 (19) and (20), 11.22 (7) (intro.), (a), (b), and (d) to (h), 11.26 (1) (c) and (d), 11.31 (1) (c) to (i) and 946.11 (2) (b); to renumber and amend 11.14, 11.20 (5), 11.22 (7) (c), 11.26 (1) (e) and 11.31 (1) (j); to amend 5.02 (12), 5.05 (1) (c), (2), (3) and (5), 5.58 (2) (a), 5.60 (1) (b) and (c) and (8) (intro.), 5.62 (3), 7.08 (4), 7.30 (2) (a) and (b) and (4) (b) 1 and 2, 7.35 (3), 7.38 (1) (a) and (3) (a), 7.60 (4) (a), (b) and (d), (5) and (6), 7.70 (1), (3) (a), (d) and (g) and (5), 8.10 (6) (a) and (b), 8.12 (3) (b) and (e), 8.16, 8.18 (title), 8.19 (1), 8.30 (intro.), 8.35 (2), 8.50 (1) (b) and (d), 11.01 (1), (3), (4), (5) (g), (9), (13) and (14), 11.05 (1), (2), (3) (e), (g) 1 and (L), (5) and (6), 11.06 (1) (intro), (2) to (5) and (8), 11.07 (title) and (1), 11.08 (2), 11.10 (1) to (4), 11.12 (5), 11.13 (1), 11.16 (3) and (4), 11.19, 11.20 (1) to (3) and (10), 11.21 (2), (11) (intro.), (b) and (c) and (14), 11.22 (title), 11.23 (1), (4) and (6), 11.25 (2), 11.26 (1) (a), (2) (a) and (b), (3) to (6) and (10), 11.30 (2), 11.31 (1) (intro.), (2) and (6), 11.38 (1) (a), 11.40 (1) (b), (2), (3) and (4), 11.64 (1), 12.01, 12.11 (4), 12.13 (1) (intro.) and (3) (h), 15.611 (intro.) and 946.11 (3); to repeal and recreate 11.01 (2) and (7), 11.03, 11.05 (3) (c), 11.06 (1) (a) to (f), 11.09, 11.12 (1), 11.20 (6) to (8), 11.21 (13) and 12.13 (3) (i); and to create 5.05 (6), 6.55 (4), 7.24, 7.30 (4) (d), 8.175, 8.30 (4), 11.01 (6) (d) and (19), 11.02, 11.05 (2g), (2r), (3) (fm) and (7), 11.06 (1) (g) to (j), (6) (title), (7) (title) and (9) (title), 11.14 (2), 11.19 (3) and (4), 11.20 (11), 11.21 (11) (d) and (15), 11.215, 11.22 (9), 11.25 (3), 11.26 (12), 11.31 (7), 11.315, 11.67, 14.38 (7) and 946.11 (2) (b) of the statutes, relating to various changes in the elections code, granting rule-making authority and providing penalties.

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

SECTION 1. 5.02 (12) of the statutes is amended to read:

5.02 (12) "Political party" or "party" means a state committee registered under s. 11.05 organized exclusively for political purposes, recognized by the national organization of the party, if any, under whose name candidates appear on a ballot at any election, and all county, congressional, legislative, local and other affiliated committees authorized to operate under the same name, except that the term does not include committees organized under s. 8.17 and assigned responsibilities under s. 7.30, with respect to such activities only.

SECTION 1m. 5.05 (1) (c) of the statutes is amended to read:

5.05 (1) (c) Bring civil actions to require forfeitures for any violation of ch. 11 under s. 11.60, and sue for injunctive relief under s. 11.66 to compel compliance with ch. 11. Actions brought by the board may concern only violations with respect to reports or statements required by law to be filed with it, and other violations arising under elections for state or national office or statewide referenda only. Other actions may be brought as provided in s. 11.60. Pursuant to such authority, the board is authorized to compromise and settle any civil action brought by it under ch. 11 which, in the opinion of the board, constitutes a minor violation, a violation caused by excusable neglect, or which for other good cause shown, should not in the public interest be prosecuted under such chapter. Notwithstanding s. 288.06, an action may be settled for such sum as may be agreed between the parties. Actions by the board shall be brought in the circuit court for the county wherein the violation is alleged to occur. The board shall file a report of all civil actions brought by it under this paragraph and the disposition of those actions to the appropriate standing committees of each house of the legislature, as determined by the presiding officer, on March 1 and September 1 of each year.

SECTION 2. 5.05 (2), (3) and (5) of the statutes are amended to read:

5.05 (2) The board shall cause to have made an examination of all reports and statements ~~concerning elections for state and national office and statewide referenda~~ which are required to be filed with ~~the board~~ it under ch. 11. The board shall make official note in the file of a candidate, committee, group or individual under ch. 11 of any error or other discrepancy and shall inform the person submitting the report or statement.

(3) The board shall upon complaint by any person or on its own motion investigate violations of the elections laws and shall ~~immediately~~ notify the district attorney of the proper county or the attorney general where appropriate of any facts within its knowledge or evidence in its possession which may be grounds for civil action or criminal prosecution. No investigation is required of any petition or complaint which is not verified. The board may summarily dismiss any complaint which it finds to be without merit.

(5) In lieu of the report otherwise required under s. 15.04 (4), the board shall compile and submit to the governor and the legislature each ~~August~~ October an annual report for the fiscal year ending on June 30 which shall include the information under s. 11.21 (7).

SECTION 3. 5.05 (6) of the statutes is created to read:

5.05 (6) Any interested person may make written request to the board to issue a formal opinion with respect to his authority or responsibilities under this title. The board shall within 15 days advise the person requesting an opinion whether or not a formal opinion will be issued. If a formal opinion will be issued, it shall be issued within 30 days of the request. No person acting in good faith upon a formal opinion issued to him by the board shall be subject to civil or criminal prosecution for so acting, if the material facts are as stated in the opinion request. Nothing in this

subsection requires the issuance of an opinion by the board, nor precludes it from issuing an opinion or ruling in any other manner.

SECTION 4. 5.58 (2) (a) of the statutes is amended to read:

5.58 (2) (a) There shall be one separate ballot for state superintendent, judicial officers, county executive under ss. 59.031 and 59.032 and county supervisors. In counties over 500,000 population the ballot also shall include those offices under s. 8.11 (2). The arrangement of names for state superintendent ~~and judicial candidates for justices, circuit court judge, and for county judge where the district comprises~~ more than one county, shall be determined by the board under s. 5.60. Arrangement of judicial candidates, county executive and county supervisors within a county shall be arranged by the county clerk, or by the executive secretary of the county election commission under s. 5.60. The ballot shall be in substantially the same form as annexed ballot "E" but titled, "Official Ballot for Judicial, State Superintendent of Public Instruction, County Executive and County Supervisor Primary", except that in counties having a population of 500,000 or more, it shall be titled "Official Ballot for County Officers, Judicial, State Superintendent of Public Instruction and School Board Primary".

SECTION 5. 5.60 (1) (b) and (c) and (8) (intro.) of the statutes are amended to read:

5.60 (1) (b) The board shall certify the candidates' names and designate the official ballot arrangement for candidates for supreme court justice, circuit court judge, county judge when the ~~circuit~~ district comprises more than one county and state superintendent. The arrangement of names of all candidates on the ballot whose nomination papers are filed with the board shall be determined by the board by the drawing of lots on the day following the deadline for filing nomination papers.

(c) The county clerk or board of election commissioners shall determine the official ballot order for judicial office candidates ~~representing one county or less~~ not determined by the board, using the same method of determining arrangement of names on the ballot as that used by the board under par. (b).

(8) (intro.) ~~BALLOTS FOR PRESIDENTIAL VOTE.~~ There shall be a separate ballot for each party qualified under s. 5.62, listing the names of all potential candidates of that party determined under s. 8.12 and affording, in addition, an opportunity to the voter to nominate another potential candidate by write-in vote or to vote against the choices offered on the ballot. The order of such presidential candidates shall be determined by lot by or under the supervision of the board ~~of state canvassers~~. Each voter shall be given the ballots of all the parties participating in the presidential preference vote, but may vote on one ballot only.

SECTION 6. 5.62 (3) of the statutes is amended to read:

5.62 (3) The board shall designate the official primary ballot arrangement for state offices by using the same procedure as for supreme court justice candidates under s. 5.60 (1) (b); congressional and state senate candidates by using the same procedure as for circuit court judges under s. 5.60 (1) (b) by numbering the assembly districts and parts of assembly districts within each congressional or senate district; and assembly candidates, ~~when the district comprises more than one county~~, by similarly numbering and arranging by population the counties within an assembly district. The candidates shall then be listed under s. 5.60 (1) (b).

SECTION 7. 6.55 (4) of the statutes is created to read:

6.55 (4) Any person who violates this section may be punished as provided in ss. 12.13 (3) (g) and 12.60 (1) (b).

SECTION 8. 7.08 (4) of the statutes is amended to read:

7.08 (4) ELECTION LAWS. Prepare and publish the election laws. The election laws shall be furnished free to election officials ~~and to each candidate, committee, group or individual upon registration under s. 11.05.~~ Distribution to all others shall be made ~~upon payment of a fee of \$1 per copy at cost.~~

SECTION 9. 7.08 (5) of the statutes is repealed.

SECTION 10. 7.24 of the statutes is created to read:

7.24 Title to election materials. The filing of a nomination paper, ballot application, financial report, affidavit, or other form or statement with the appropriate official or agency responsible for accepting such materials under this title irrevocably transfers the legal title to such official or agency, regardless of the sufficiency of the filing. The official or agency shall retain all election materials until destruction or other disposition is authorized under s. 7.23.

SECTION 11. 7.30 (2) (a) and (b) and (4) (b) 1 and 2 of the statutes are amended to read:

7.30 (2) (a) Each inspector and clerk shall be a qualified elector in the ward, but election officials serving more than one ward or when necessary to fill a vacancy under par. (b) need not be a resident of the ward. They shall be able to read and write the English language, be capable, be of good understanding, and shall not be a candidate, other than for aldermanic district or ward committeeman, to be voted for at that election. In 1st class cities they shall hold no public office other than notary public. All officials shall be affiliated with one of the 2 recognized political parties which received the largest number of votes for president, or governor in nonpresidential general election years, in the ward at the last election. The party which received the largest number of votes shall be entitled to 2 inspectors, one clerk and one ballot clerk for each ward. The party receiving the next largest number of votes shall be entitled to one inspector, one clerk and one ballot clerk for each ward.

(b) When a vacancy occurs, the appointment shall be filled by the municipal clerk from the remaining names on the submitted lists or from additional names submitted by the chairman of the county party committee under s. 8.17. If the vacancy is due to the candidacy, sickness or from any other cause, the appointment shall be a temporary appointment and effective only for that election. The same qualifications shall be required, but vacancies may be filled in cases of emergency or because of time limitations by a person from another aldermanic district or ward within the election district so the proper balance of party representation is maintained.

(4) (b) 1. In cities where there is a board of election commissioners, the elected aldermanic district committeemen of each ~~9~~of the 2 dominant recognized political parties shall submit a certified list containing the names of at least 5 times as many electors as there are voting wards in an aldermanic district. The board of election commissioners shall appoint, during February of odd-numbered years, three-fifths of the list as inspectors and two-fifths as ballot clerks giving the first choices and alternates for each.

2. In municipalities other than 1st ~~and 2nd~~ class cities the party committees shall submit a list containing at least twice as many names as there are needed appointees from that party. ~~The lists in 2nd class cities need not contain twice the number of names as appointees.~~ The lists list shall be submitted through by the aldermanic district or town chairman of each of the 2 regular party committees to their county, city, aldermanic district or ward committee under s. 8.17 to the mayor, president or chairman of the municipality. Only those persons selected by the chairman of each aldermanic district or town committee shall act as election officials. The list shall contain the signature of the chairman and secretary of the submitting county, city, town or ward committee. Upon submission of each nominee's name, the governing

body shall approve or disapprove the nomination. If any nominees are disapproved, the mayor, president or chairman of the municipality shall immediately nominate another person from the appropriate lists submitted and continue until the necessary number of election officials from each party is achieved at that meeting.

SECTION 12. 7.30 (4) (d) of the statutes is created to read:

7.30 (4) (d) A party committee under s. 8.17 may submit additional names for inclusion in its list of nominations under this section at any time. Whenever there are no available names on any list, the board of election commissioners or the mayor, president or chairman of the municipality shall so notify the chairman of the appropriate party committee. However, an appointment need at no time be delayed because of the lack of availability of party nominees.

SECTION 13. 7.35 (3) of the statutes is amended to read:

7.35 (3) ATTACH PASTERS. Whenever a vacancy occurs in a nomination after the ballots have been printed and pasters are provided under s. 7.38 (3) or 8.35 (2), the ballot clerks shall properly paste them on the official ballots before indorsement.

SECTION 14. 7.38 (1) (a) and (3) (a) of the statutes are amended to read:

7.38 (1) (a) For every election ward each recognized political party may appoint 2 party observers and an alternate for each, as observers of the election proceedings and the canvassing of the ballots. The appointments may be made by the ~~local~~ county committee of the party that nominated the candidates. Party appointments shall be filled by the chairman of the party, except as provided in s. 8.17 (5) (g). Candidates nominated by nomination papers or candidates for city offices may similarly appoint observers.

(3) (a) Whenever a vacancy occurs after a primary due to declination, death, or any other cause, the vacancy may be filled by the nominee's political party committee. In the case of candidates for county offices, the vacancy shall be filled by the chairman of the county party. For other offices, the vacancy shall be filled by the chairman of the state party, except as provided in s. 8.17 (5) (g). If no county party exists, the vacancy shall be filled by the chairman of the state party. The ~~committee's~~ chairman and ~~secretary~~ shall file with the proper official a certificate signed, certified and sworn to the same as an original certificate. The certificate shall state the cause of the vacancy, the name of the new nominee and the office for which nominated. A political party committee may not nominate a candidate for an office for which no person representing that party has filed nomination papers and a declaration of acceptance.

SECTION 15. 7.60 (4) (a), (b) and (d), (5) and (6) of the statutes are amended to read:

7.60 (4) (a) The board of canvassers shall make separate duplicate statements for the president and vice president; the state officials; the United States senators and representatives in congress; the state legislators ~~when the district consists of more than one county;~~ and judicial offices when the district or circuit; the supreme court justices; circuit judges; and county judges where the district consists of more than one county. Each statement shall state in numbers written out the total number of votes cast in the county for each office; the names of all persons for whom the votes were cast, as returned; and the number of votes cast for each. One statement shall be used to report to the elections board under sub. (5) and the other statement shall be filed in the office of the county clerk.

(b) The board of canvassers shall then prepare a written determination, in duplicate where necessary, giving those persons receiving the highest number of votes and therefore elected, to any county office, ~~to the state legislature when the county consists of one or more districts, and to any judicial office when the county consists of one or more circuits~~ and to any county judgeship unless the district consists of more than one county.

(d) Each statement and determination issued under pars. (a) and (b) shall be certified as correct and attested to by each canvasser's signature. For state legislators, the statement ~~or determination~~ shall include the post-office address and party designation.

(5) REPORTING. Immediately following the canvass the county clerk shall send the elections board, by registered mail, a ~~list of the names of persons elected in the county as members of the senate, assembly and county officers as required by sub. (4) (b).~~ A certified copy of each statement of the county board of canvassers for president and vice president, state officials, senators and representatives in congress, and candidates for the state legislature when the district includes more than one county as required by sub. (4) (a), shall also be enclosed, supreme court justice, circuit judge, and county judge if the district consists of more than one county. Following primaries the county clerk shall enclose on blanks furnished by the elections board, the names, party designation, if any, and number of votes received by each candidate by voting wards.

(6) CERTIFICATE OF ELECTION. Immediately after expiration of the time allowed to file a recount the county clerk shall issue a certificate of election to each person having the largest number of votes for any county office, ~~for the state legislature when the county constitutes one or more than one district or for the judicial offices when the county consists of one or more than one judicial circuit~~ and any county judgeship unless the district consists of more than one county.

The certificate notice shall state the amount of the required official bond, if any. Personal service of the notice for all statutory and legal purposes is official notification to a person of his election to the office. When a petition for a recount is filed, the county clerk shall not issue the certificate of election for the office in question until the recount has been completed.

SECTION 16. 7.70 (1), (3) (a), (d) and (g) and (5) of the statutes are amended to read:

7.70 (1) RECORDING AND PRESERVING RETURNS. (a) Upon receipt of the certified statements from the county clerks, the elections board shall record the election results by counties and file and carefully preserve the statements.

(b) If any county clerk fails or neglects to forward any statements, the elections board may require him to do so immediately and if not received within 8 days after a spring or special primary, or within 15 days after any other election, the elections board may dispatch a special messenger to obtain them. Whenever it appears upon the face of any statement that an error has been made in reporting or computing, the elections board may return it to the county clerk for correction.

(3) (a) The board of state canvassers shall meet publicly at the office of the elections board on or before the 2nd Thursday following a spring primary, the 15th day of May following a spring election, the 3rd Thursday following a September primary, the first day of December following a general election, the 2nd Thursday following a special primary, or within 25 days after any special election to canvass the returns and determine the election results.

(d) When the certified statements and returns are received, the board of state canvassers shall proceed to examine and make a statement of the total number of votes

cast at any election for the offices involved in the election for president and vice president; a statement for each of the offices of governor, lieutenant governor, if a primary, and a joint statement for the offices of governor and lieutenant governor, if a general election; a statement for each of the offices of secretary of state, treasurer, attorney general, state superintendent or any other state office; for U.S. senator; for representative in congress for each congressional district; ~~for any office for the state legislature when the district includes more than one county~~; supreme court justice; circuit judge ~~and~~; county judge when the ~~circuit or~~ district consists of more than one county; and any referenda questions submitted by the legislature.

(g) Whenever a referendum question submitted to a vote of the people is approved, the elections board shall record it and the secretary of state shall have the record bound in the volume containing the original enrolled laws passed at the next succeeding session of the legislature and have the record published with the laws thereof. Whenever a constitutional amendment or other validating or ratifying referendum which is adopted by the people does not expressly state the date of effectiveness, it shall become effective the day the certificate of the board of state canvassers shows the result of the vote cast for the ~~constitutional amendment referendum~~.

(5) CERTIFICATES OF ELECTION. (a) The elections board shall record in its office each certified statement and determination made by the board of state canvassers. It shall make and transmit to each person declared elected, a certificate of his election under the ~~lesser~~ seal of the elections board and cause a copy of the certified statements and determinations to be published once in a newspaper under ch. 985. It shall also prepare similar certificates, attested by ~~it as~~ the chairman of the elections board, addressed to the respective United States senate and house of representatives, stating the names of those persons elected to the congress from this state and the house to which elected. If a person elected was elected to fill a vacancy, the certificate shall so state.

(b) For presidential electors, the elections board shall prepare 3 lists of the names of the presidential electors, have the governor sign, affix the great seal of the state and deliver the signed certificates to one of the presidential electors on or before the first Monday after the 2nd Wednesday in December.

SECTION 17. 8.10 (6) (a) and (b) of the statutes are amended to read:

8.10 (6) (a) For state or judicial offices, circuit judgeships, and for county judgeships when the district comprises more than one county, in the office of the board.

(b) For offices not specified in par. (a) to be voted for wholly within one county and for county supervisor, in the office of the county clerk.

SECTION 18. 8.12 (3) (b) and (e) of the statutes are amended to read:

8.12 (3) (b) If the presidential preference vote in any district or in the state at large is won by a write-in candidate or by a candidate who did not file a list of delegates under sub. (1) (d), or if in any district or in the state at large a plurality of the voters cast their ballots for "none of the names shown" or against the single name shown on the ballot, that state party organization shall select as many delegates or alternates as are allotted or permitted this state's party organization by the national committee of the political party, the method of selecting the delegates or alternates to be determined by the state party organization, but not less than two-thirds of the convention votes shall be allotted on an equal basis to congressional districts and these delegates and alternates shall be selected by the party organizations of each respective district. In executing the pledge under par. (c) 5, district delegates and district delegate alternates shall be bound by the outcome of the presidential preference vote in

their respective districts, and the delegates and alternates representing the state at large shall be bound by the outcome of the total presidential preference vote in the state at large. The selection of delegates and alternates shall occur no earlier than the Tuesday after the last Monday in April following a presidential preference vote. The names of the suggested delegates and alternates pledged to a particular candidate shall be transmitted to that candidate for his approval no later than June 1, and the candidate shall notify the chairman of the state party organization of his disapproval of any delegate or alternate by June 5, and where the candidate has disapproved his suggested delegates and alternates, he shall file his own list of delegates and alternates, which shall become the official slate of the particular candidates, delegates and alternates to the national presidential convention. No person selected as a delegate or alternate shall qualify to attend the national convention of his political party unless he files with the state ~~central committee~~ chairman of his political party a written declaration of acceptance, signed by himself, on a form prescribed by the board, and the state ~~central committee~~ chairman deposits this declaration of acceptance in the office of the board no later than 5 p.m. on June 15.

(e) Any vacancy in an office of delegate or alternate to a national political party convention caused by the death, or inability for any reason to serve, of a delegate or alternate delegate shall be filled by the ~~central state~~ committee of the political party organization entitled to make the original selection under par. (b), but no person selected to fill a vacancy under this paragraph shall be qualified to serve unless he executes the affidavit required under par. (c) 5.

SECTION 19. 8.16 of the statutes, as affected by chapter 41, laws of 1975, is amended to read:

8.16 Party candidates. (1) The person who receives the greatest number of votes for an office on any party ballot at a primary shall be the party's candidate for the office, and his name shall so appear on the official ballot at the next election.

(2) A person who receives only write-in votes shall not be the party's candidate unless he receives 5% of the vote cast in the district for the party's gubernatorial candidate at the last general election, and files a registration statement under s. 11.05 (2g) or (2r) and declaration that he will qualify as such, if elected of acceptance, within 2 days after he receives notification of his nomination.

(3) Where the boundaries of a district in which the candidate of a political party seeks office have been changed since the most recent gubernatorial election such that it is not possible to calculate the exact percentage of write-in votes, under sub. (2), which are needed by that candidate to become the nominee of the party, the number of votes cast for a political party's nominee for governor at the last general election in each ward or aldermanic district which is wholly contained within the boundaries of the newly formed district shall be calculated. If a candidate of a political party in a newly formed district does not obtain 5% of the number of votes calculated, he shall not appear on the ballot as the candidate of that party for the office sought.

(4) A recognized political party which participated in the most recent gubernatorial election but loses its ballot position and subsequently regains such position under s. 5.62 (2) does not cease to be a political party for purposes of qualification under subs. (2) and (3).

(5) The persons who receive the greatest number of votes respectively for the offices of governor and lieutenant governor on any party ballot at a primary shall be

the party's joint candidates for the offices, and their names shall so appear on the official ballot at the next election.

~~(2)~~ (6) Nominees chosen at a national convention and under s. 8.18 (2) by each party entitled to a September primary ballot shall be the party's candidates for president, vice president and presidential electors.

SECTION 20. 8.175 of the statutes is created to read:

8.175 Regular political party committees. (1) The secretary of the state committee of each recognized political party under s. 5.62 (1) (b) or (2) shall notify the board in writing of the name and address of the person occupying the position of state chairman. The secretary of each county committee of such a party shall notify the county clerk in writing of the name and address of the person occupying the position of county chairman.

(2) Within 10 days following any change in the position of state or county chairman, a subsequent written notice shall be filed. In the event of failure to file the name of a current county chairman, it is presumed that no political party committee exists in the county. In such case, the state committee is entitled to fill any vacancy occurring on the party ballot under s. 7.38 (3), and nominations of election officials shall proceed as under s. 7.30 (4) (c).

(3) In the event of failure to file the name of a current state chairman, the board shall not recognize the state committee for the purpose of filling vacancies under s. 7.38 (3).

SECTION 21. 8.18 (title) of the statutes is amended to read:

8.18 (title) Nomination of presidential electors.

SECTION 22. 8.19 (1) of the statutes is amended to read:

8.19 (1) The state ~~central~~ committee of any party polling less than 75,000 presidential votes in this state in the last election may change the name of the party. The new name may not duplicate that of an existing national party. A certificate of approval by the party's national committee which has been certified by the national committee secretary, the state committee chairman and the state committee secretary shall be filed with the board.

SECTION 23. 8.30 (intro.) of the statutes is amended to read:

8.30 (intro.) The official or agency with whom nomination papers are required to be filed may refuse ~~either to accept the nomination papers for filing or to place the candidate's name on the ballot:~~

SECTION 24. 8.30 (4) of the statutes is created to read:

8.30 (4) If no registration statement has been filed by or on behalf of a candidate in accordance with s. 11.05 (2g) or (2r), in the case of candidates for state and local office.

SECTION 25. 8.35 (2) of the statutes is amended to read:

8.35 (2) If a vacancy occurs after nomination due to declination, death, or any other cause, the vacancy may be filled for partisan offices by the ~~proper political party or chairman of the committee for all partisan offices of the proper political party under s. 7.38 (3), or the personal campaign committee, if any, in the case of independent candidates, except as provided in s. 8.17 (5) (g).~~ Similar vacancies for municipal and nonpartisan county offices may be filled within 2 days by the personal campaign

committee or, if the candidate had none, by the governing body of the municipality or county. Within 2 days after notification of the nomination, the new nominee shall file a declaration of acceptance and registration statement under s. 11.05 (2g) or (2r). Upon failure to file such declaration or statement, the official or agency with whom such papers are filed may refuse to place the candidate's name on the ballot. If the ballots have been printed, the committees or body filling the vacancy shall supply pasters as under s. 7.38 (3) (c).

SECTION 26. 8.35 (2m) of the statutes is repealed.

SECTION 27. 8.50 (1) (b) and (d) of the statutes are amended to read:

8.50 (1) (b) Notice of any special election shall be given upon the filing of the order under par. (a) by publication in a newspaper under ch. 985. If the special election concerns any state office as defined in s. 11.01 (20) or an office to be filled from a district which includes more than one county, the board shall give notice as soon as possible to the county clerks and publish one notice. Upon receipt of notice from the board, or when the special election is for a county office, the county clerk shall give notice as soon as possible to all municipal clerks and publish 2 notices. The notices shall include the provisions of par. (c) and be a type A notice under ch. 10 in substantially the form prescribed by the board.

(d) When the primary concerns a state office or an office to be filled from a district which includes more than one county, the board shall transmit to each county clerk at least 15 days before the special primary a certified list of all persons for whom nomination papers have been filed in its office. Immediately upon receipt of the certified list, the county clerk shall prepare his ballots. For a county special election, the county clerk shall certify the candidates and prepare the ballots. The county clerk shall publish 2 type B notices in a newspaper under ch. 10. As soon as possible after the primary, the county clerk shall certify the candidates and prepare the ballots for the following special election, and shall publish 2 type B notices in a newspaper under ch. 10.

SECTION 28. 11.01 (1) of the statutes is amended to read:

11.01 (1) "Candidate" means every person for whom it is contemplated or desired that votes be cast at any election held within this state, whether or not such person is elected or nominated, other than a candidate for ~~president and vice president of the United States~~ national office, and who either tacitly or expressly consents to be so considered. A person does not cease to be a candidate for purposes of compliance with this chapter or ch. 12 after the date of an election and no person is released from any requirement or liability otherwise imposed under this chapter or ch. 12 by virtue of the passing of the date of an election.

SECTION 29. 11.01 (2) of the statutes is repealed and recreated to read:

11.01 (2) "Charitable organization" means any organization described in section 170 (c) (2) of the internal revenue code, and also includes the United States, any state, territory or possession, the District of Columbia and any political subdivision thereof, when a gift is made exclusively for public purposes; but does not include any private organization conducting activities for political purposes.

SECTION 30. 11.01 (3), (4) and (5) (g) of the statutes are amended to read:

11.01 (3) "Committee" or "political committee" means any person other than an individual and any combination of 2 or more persons, permanent or temporary, which makes or accepts contributions or makes disbursements for political purposes, whether or not engaged in activities which are exclusively political, except that a "committee" does not include a political "group" under this chapter.

(4) “Communications media” means newspapers, periodicals, commercial billboards and radio and television stations, including community antenna television stations.

(5) (g) Notwithstanding the foregoing meanings of “contribution”, the term does not include ~~services~~:

1. Services for a political purpose by an individual on behalf of a registrant under s. 11.05 who is not compensated specifically for such services;

2. The use of real or personal property and the cost of invitations, food, and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services on the individual’s residential premises for a purpose under par. (a) if no funds are raised with the knowledge of the host;

3. Any unreimbursed payment for travel expenses made by an individual who on his own behalf volunteers his personal services in support of or in opposition to a candidate;

4. The costs of preparation and transmission of personal correspondence, provided such material is not reproduced by machine for distribution; or

5. Compensation or fringe benefits incidental to employment provided by an employer to regular employes or pensioners who are not compensated specifically for services performed for a political purpose, and not in excess of that provided to other regular employes or pensioners of like status.

SECTION 31. 11.01 (6) (d) of the statutes is created to read:

11.01 (6) (d) Notwithstanding the foregoing meanings of “disbursement”, the term does not include:

1. The use of real or personal property and the cost of invitations, food, and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services on the individual’s residential premises for a purpose under par. (a) if no funds are raised with the knowledge of the host;

2. Any unreimbursed payment for travel expenses made by an individual who on his own behalf volunteers his personal services in support of or in opposition to a candidate;

3. The costs of preparation and transmission of personal correspondence, provided such material is not reproduced by machine for distribution;

4. A gift of any thing of value constituting a contribution made directly to a registrant by another, except that such gift is a disbursement made by the recipient when received or if received in the form of money, when disbursed; or

5. Compensation or fringe benefits incidental to employment provided by an employer to regular employes or pensioners who are not compensated specifically for services performed for a political purpose, and not in excess of that provided to other regular employes or pensioners of like status.

SECTION 32. 11.01 (7) of the statutes is repealed and recreated to read:

11.01 (7) “Filing officer” means the official or agency determined in accordance with s. 11.02.

SECTION 33. 11.01 (9) of the statutes is amended to read:

11.01 (9) “Group” or “political group” means a any person other than an individual and any combination of 2 or more persons, permanent or temporary, which makes or accepts contributions or makes disbursements for the purpose of influencing

the outcome of any referendum whether or not engaged in activities which are exclusively political.

SECTION 34. 11.01 (13) and (14) of the statutes are amended to read:

11.01 (13) "Local office" means any elective office other than ~~president and vice-president of the United States, or~~ a state or national office.

(14) "National office" means the offices of ~~the president and vice president of the United States,~~ U.S. senator and U.S. congressman.

SECTION 35. 11.01 (19) and (20) of the statutes are renumbered 11.01 (20) and (21), respectively.

SECTION 36. 11.01 (19) of the statutes is created to read:

11.01 (19) "Salary" means the highest salary to which any candidate for a particular office would, if elected, be entitled during the first year of his incumbency.

SECTION 37. 11.02 of the statutes is created to read:

11.02 Determination of filing officer. Except where the filing of duplicate reports or statements is specifically required by law, each person, committee or group subject to s. 11.05 shall have one filing officer. Such officer shall be determined as follows:

(1) The "filing officer" for each candidate for state office and for each committee which or individual who is acting in support of or in opposition to any candidate for state office is the board.

(2) The "filing officer" for each committee which or individual who is acting in support of or in opposition to any candidates for state and local offices is the board.

(3) The "filing officer" for each candidate for local office and for each committee which or individual who is acting in support of or in opposition to any candidate for local office, but not any candidate for state office, is the clerk of the most populous jurisdiction for which any candidate who is supported or opposed seeks office.

(4) The "filing officer" for each group which or individual who is acting in support of or in opposition to any statewide referendum is the board.

(5) The "filing officer" for each group which or individual who is acting in support of or in opposition to any statewide and local referenda is the board.

(6) The "filing officer" for each group which or individual who is acting in support of or in opposition to any local referendum, but not any statewide referendum, is the clerk of the most populous jurisdiction in which any referendum being supported or opposed is conducted.

(7) If the jurisdiction under sub. (3) or (6) is a school district, the appropriate clerk is the city clerk in the case of a city school district. In the case of any other school district, the appropriate clerk is the school district clerk.

SECTION 38. 11.03 of the statutes is repealed and recreated to read:

11.03 Nonapplicability. (1) Elections for the positions of presidential elector, convention delegate and party committeeman are not subject to ss. 11.05 to 11.23, 11.26 to 11.29 and 11.31.

(2) This chapter does not apply to any candidate for national office acting exclusively in support of his own campaign, with respect to such activities only.

(3) This chapter does not apply to any individual or committee acting exclusively in support of or in opposition to a) candidates for national office; or b) other individuals and committees exclusively supporting or opposing candidates for national office.

SECTION 39. 11.05 (1) and (2) of the statutes are amended to read:

11.05 (1) Every political party committee, every other political committee other than a personal campaign committee, and every political group under s. 11.23 which makes or accepts contributions, incurs obligations or makes disbursements in a calendar year in an aggregate amount in excess of \$25 shall file a verified statement with the appropriate filing officer giving the information required by sub. (3). In the case of any committee other than a personal campaign committee, the statement shall be filed by the treasurer. A personal campaign committee shall register under sub. (2g) or (2r).

(2) Every individual, other than a candidate or his agent, who accepts contributions, incurs obligations, or makes disbursements in a calendar year in an aggregate amount in excess of \$25 shall file a verified statement with the appropriate filing officer giving the information required by sub. (3).

SECTION 40. 11.05 (2g) and (2r) of the statutes are created to read:

11.05 (2g) Every candidate as defined in s. 11.01 (1) shall file a verified registration statement with the appropriate filing officer giving the information required by sub. (3). If a candidate appoints a campaign treasurer other than himself and files a certificate of appointment under s. 11.11, his registration statement may be filed by the appointed treasurer. A candidate who receives no contributions and makes no disbursements shall file such statement as provided in s. 11.10 (1) but need not appoint a campaign treasurer or designate a campaign depository until the first contribution is received or disbursement made.

(2r) Any person, committee or group other than a committee or individual required to file an oath under s. 11.06 (7) who or which does not anticipate accepting contributions, making disbursements or incurring obligations in an aggregate amount in excess of \$250 in a calendar year may indicate on its verified registration statement that the person, committee or group will not accept contributions, incur obligations or make disbursements in the aggregate in excess of \$250 in any calendar year. Any registrant making such an indication is not subject to any filing requirement if the statement is true. Such registrant need not file a termination report. A registrant not making such an indication on a registration statement is subject to a filing requirement. The indication may be revoked and the registrant is then subject to a filing requirement as of the date of revocation or the date that aggregate contributions, disbursements or obligations for the calendar year exceed \$250, which ever is earlier, but if the revocation is not timely, the registrant violates s. 11.27 (1).

SECTION 41. 11.05 (3) (c) of the statutes is repealed and recreated to read:

11.05 (3) (c) In the case of a committee, a statement as to whether the committee is a personal campaign committee, a political party committee, or a special interest committee.

SECTION 42. 11.05 (3) (e) of the statutes is amended to read:

11.05 (3) (e) The name and mailing address of the campaign treasurer and any other custodian of books and accounts. Unless otherwise directed by the registrant on the registration form, all mailings required by law shall be sent to the treasurer at the treasurer's address indicated upon the form.

SECTION 43. 11.05 (3) (fm) of the statutes is created to read:

11.05 (3) (fm) A statement as to whether the registrant will be supporting or opposing any candidate, or any other registrant or proposed registrant who will be supporting or opposing any candidate, at any primary or election, and if so which primary and which election.

SECTION 44. 11.05 (3) (g) 1 and (L) of the statutes are amended to read:

11.05 (3) (g) 1. Each candidate whom the committee or individual is supporting or opposing, if known at the time of registration.

(L) The name and address of the campaign depository and of any other institution where funds are kept and the account numbers of each number of the depository account and of each additional account and safety deposit box used.

SECTION 45. 11.05 (5) and (6) of the statutes are amended to read:

11.05 (5) Any change in information previously submitted in a statement of registration shall be reported to the appropriate filing officer in verified form within 10 days following the change. This period does not apply in case of change of an indication made under sub. (2r). Any such change may be attested only by the officer attesting to the original statement, except that a candidate or his campaign treasurer may attest to a change in the statement of a personal campaign committee, and in the case of any other committee or group, the chief executive officer indicated on the statement may attest to a change.

(6) ~~No~~ Except as provided in s. 11.10 (1), no person, committee or group subject to a registration requirement may make any contribution or disbursement from property or funds acquired prior to the date of registration under this section.

SECTION 46. 11.05 (7) of the statutes is created to read:

11.05 (7) For purposes of compliance with the registration requirements of this section a husband and wife acting jointly for political purposes shall be considered an "individual" rather than a "committee".

SECTION 47. 11.06 (1) (intro.) of the statutes is amended to read:

11.06 (1) (title) CONTENTS OF REPORT. (intro.) ~~Each committee, group or individual subject to a registration requirement~~ Except as provided in s. 11.05 (2r), each registrant under s. 11.05 ~~(1) or (2)~~ shall make full reports, upon a verified form prescribed by the board, of all contributions received, contributions or disbursements made, and obligations incurred. The reports required to be filed by this subsection shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report during such year, only the amount need be carried forward. Each report shall contain the following information, covering the period since the last date covered on the previous report, unless otherwise provided:

SECTION 48. 11.06 (1) (a) to (f) of the statutes are repealed and recreated to read:

11.06 (1) (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 such contribution, and the cumulative total for the calendar year.

(b) 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.

(c) The name and address of each registrant from which transfers of funds were received or to which transfers of funds were made, together with the dates and amounts of such transfers.

(d) An itemized statement of other income in excess of \$20, including interest, returns on investments, rebates and refunds received.

(e) An itemized statement of contributions over \$20 from a single source returned to donor or donated, with the full name and mailing address of the donor or donee.

(f) An itemized statement of each loan in an aggregate amount or value in excess of \$20, together with the full name and mailing address of the lender and endorser, if any, and the date and amount of such loan.

SECTION 49. 11.06 (1) (g) to (j) of the statutes are created to read:

11.06 (1) (g) An itemized statement of every disbursement exceeding \$20 in amount or value, together with the name of the person or business to whom the disbursement was made, and the date and specific purpose for which such disbursement was made.

(h) An itemized statement of every obligation exceeding \$20 in amount or value, together with the name of the person or business with whom the obligation was incurred, and the date and the specific purpose for which each such obligation was incurred.

(i) A statement of the aggregate contributions received and accepted, aggregate contributions returned, and aggregate contributions donated in accordance with this chapter; of the aggregate disbursements made; of the aggregate transfers of funds made to or received from other registrants; and the aggregate obligations incurred.

(j) A statement of the cash balance on hand at the beginning and end of the reporting period.

SECTION 50. 11.06 (2) to (5) of the statutes are amended to read:

11.06 (2) (title) WHEN TRANSACTIONS REPORTABLE. (a) A contribution is received by a candidate for purposes of this chapter when it is in the possession under the control of the candidate, or his campaign treasurer or any other agent of the candidate or personal campaign committee who is authorized to receive contributions, or such person accepts the benefit thereof. A contribution is received by an individual, group or committee, other than a personal campaign committee, when it is ~~in the possession under the control of the individual or the committee or group treasurer, or an agent of the treasurer who is authorized to receive funds, or such person accepts the benefit thereof.~~

(b) Unless it is returned or donated within 10 days of receipt, any such contribution must be reported as received and accepted on the date received. This subsection applies notwithstanding the fact that the contribution is not deposited in the campaign depository by the reporting deadline.

(c) All contributions received by any person acting as an agent of a candidate or treasurer shall be reported within 3 days by such person to the candidate or treasurer. In the case of a contribution of money, the agent shall within 5 days transmit the contribution to the candidate or treasurer.

(d) A contribution, disbursement or obligation made or incurred for the benefit of a candidate is reportable by the candidate or his personal campaign committee if it is made or incurred with the encouragement, direction or control of the candidate or his campaign treasurer.

(3) (title) REPORT MUST BE COMPLETE. ~~The~~ A registered individual or treasurer of ~~the~~ a group or committee shall make a good faith effort to obtain all required information. The first report shall commence no later than the date that the first contribution is received and accepted or the first disbursement is made. Each report shall be filed with the appropriate filing officer on the dates designated in s. 11.20. The individual or the treasurer of the group or committee shall certify the correctness

of each report. In the case of a candidate, the candidate or his treasurer shall certify the correctness of each report.

(4) (title) PURPOSE OF DISBURSEMENTS; PROCEDURE; APPORTIONMENT. (a) An individual, group or committee which is registered under s. 11.05 may make disbursements for any lawful political purpose.

~~(5) (b) Except as provided with respect to the amount specified in s. 11.05 (1) and (2), every committee or individual making disbursements in support of or in opposition to a candidate, except a voluntary committee or individual under sub. (7), must proceed under s. 11.12 (1) or 11.22 (2) (a).~~

(c) Where a disbursement is made in support of more than one candidate, the disbursement shall be apportioned reasonably among the candidates.

(5) (title) RETURN OF CONTRIBUTIONS. A registrant may return a contribution at any time, before or after acceptance. If a contribution is accepted contrary to law, the subsequent return does not constitute a defense to a violation.

SECTION 51. 11.06 (6) (title) and (7) (title) of the statutes are created to read:

11.06 (6) (title) REFERENDUM REPORTS SEPARATED.

(7) (title) VOLUNTARY OATH.

SECTION 52. 11.06 (8) of the statutes is amended to read:

11.06 (8) (title) CONTINUING DUTY. ~~The~~ Except as provided in ss. 11.05 (2r) and 11.19 (3), the duty to file reports under this section continues until a termination report is filed in accordance with s. 11.19 or 11.22 (5).

SECTION 53. 11.06 (9) (title) of the statutes is created to read:

11.06 (9) (title) DISTRIBUTION OF FORMS.

SECTION 54. 11.07 (title) and (1) of the statutes are amended to read:

11.07 (title) Designation of agent by nonresident individuals, committees and groups. (1) Every nonresident committee or group making contributions and every nonresident individual, committee or group making disbursements exceeding \$25 cumulatively in a calendar year within this state shall file his or its name, mailing and street address and the name and the mailing and street address of a designated agent within the state with the office of the secretary of state. An agent may be any adult individual who is a resident of this state. After any change in the name or address of such agent the new address or name of the successor agent shall be filed within 30 days. Service of process in any proceeding under this chapter or ch. 12, or service of any other notice or demand may be made upon such agent.

SECTION 55. 11.08 (2) of the statutes is amended to read:

11.08 (2) In addition to the report under sub. (1), each committee of a political party which receives contributions originating in any county shall file a report with the county clerk of the county in which the contributor is domiciled no later than the dates specified in s. 11.20 ~~(5) (4)~~, and s. 11.20 (3) in the case of the September primary and general election. The report shall contain the information required under s. 11.06 (1) ~~(b) (a)~~. This subsection does not apply to the national organization or to any national committee of a political party.

SECTION 56. 11.09 of the statutes is repealed and recreated to read:

11.09 Duplicate reports required in certain cases. (1) Every financial report of a candidate for state senator, representative to the assembly and circuit judge, and every report of a voluntary committee or individual under s. 11.06 (7), which is acting in support of or in opposition to such a candidate shall be filed in the manner specified in this section.

(2) If a candidate under sub. (1) seeks election or nomination from a district or circuit which is wholly contained within one county, he shall file a duplicate original of his financial report with the county clerk or board of election commissioners of the county in which his district is contained no later than the dates specified under s. 11.20 (3) and (4) for filing of each report with the board.

(3) If a candidate under sub. (1) seeks nomination or election from a district or circuit which is located in more than one county, the board shall transmit within 48 hours after receipt a certified duplicate copy of each financial report of such candidate to the county clerk or board of election commissioners of each county any part of which is contained in the district of the candidate.

(4) Every financial report of a voluntary committee or individual acting in support of or in opposition to a candidate under sub. (1) shall be filed in accordance with sub. (2) if the candidate who is supported or opposed seeks office from a district or circuit which is wholly contained within one county. Every financial report of a voluntary committee or individual acting in support of or in opposition to a candidate under sub. (1) shall be filed by the board in accordance with sub. (3) if the candidate who is supported or opposed seeks office from a district or circuit which is located in more than one county.

(5) In every case where a duplicate report is filed by the board or by any person under subs. (1) to (4), the board shall transmit a certified duplicate copy of the registration statement to each county clerk with whom a duplicate report is filed.

(6) Every financial statement of a candidate for U.S. representative under the federal election campaign act, and every statement of his principal campaign committee, which is filed with the state as required by such act, shall be transmitted within 48 hours of receipt in the form of a certified duplicate copy by the board, to the county clerk of each county and any part of which is contained in the district of the candidate.

SECTION 57. 11.10 (1) to (4) of the statutes are amended to read:

11.10 (1) Each candidate in an election shall appoint one campaign treasurer and shall designate one campaign depository ~~before~~ within 5 business days after he receives ~~any his first~~ contribution ~~or and before he~~ makes any disbursement in behalf of his candidacy. The person designated shall be the treasurer of the candidate's personal campaign committee, if any. The candidate may appoint himself or any other elector as his campaign treasurer ~~and may maintain accounts in any bank or trust company authorized by law to transact business in this state.~~ A verified registration statement under s. 11.05 (2g) or (2r) must be filed by or on behalf of every candidate by his campaign treasurer. ~~The statement shall include the name and address of the campaign treasurer and the campaign depository.~~ The candidate's qualification is not complete until he has met this requirement. The campaign treasurer or candidate shall certify as to the correctness of each report required to be filed by him, and the candidate shall bear the responsibility for the accuracy of each report for purposes of civil liability under this chapter, whether or not he certifies it personally.

(2) A candidate may remove a campaign treasurer at any time. ~~(3)~~ In case of the

death, resignation or removal of a campaign treasurer, the candidate shall designate a successor and shall file ~~the successor's name and address~~ a certificate designating such successor with the ~~board~~ appropriate filing officer as soon as practicable. Until a new certificate is filed, the candidate shall be deemed his own campaign treasurer.

~~(4)~~ (3) Every committee shall appoint a treasurer. Every individual under s. 11.06 (7) shall be deemed his own treasurer. No disbursement may be made or obligation incurred by or on behalf of a committee without the authorization of the treasurer or that of his designated agents. No contribution may be accepted and no disbursement may be made or obligation incurred by any committee at a time when there is a vacancy in the office of treasurer.

(4) No candidate may establish more than one personal campaign committee. Such committee may have subcommittees provided that all subcommittees have the same treasurer, who shall be the candidate's campaign treasurer. The treasurer shall deposit all funds received in the campaign depository. Any committee which is organized with the encouragement, direction or control of a candidate is deemed a subcommittee of his personal campaign committee.

SECTION 59. 11.12 (1) of the statutes is repealed and recreated to read:

11.12 (1) No contribution may be made or received and no disbursement may be made or obligation incurred by a person or committee, except within the amount authorized under s. 11.05 (1) and (2), in support of or in opposition to a specific candidate in an election, other than through the campaign treasurer of the candidate or his opponent, or by or through an individual or voluntary committee registered under s. 11.05 and filing a statement under s. 11.06 (7).

SECTION 60. 11.12 (5) of the statutes is amended to read:

11.12 (5) If any contribution of more than \$500 cumulatively is received by a candidate for state office or by a committee from a single contributor later than ~~44~~ 15 days prior to a primary or election such that it is not included in the election report submitted under s. 11.20 (3) (a), the treasurer of the committee or the individual receiving such contribution shall within 24 hours of receipt inform the appropriate filing officer of the information required under s. 11.06 (1) in such manner as the board may prescribe. The information shall also be included in the next regular report. Contributions under this subsection cumulate beginning with the day after the last date covered on the preprimary or preelection report, and ending with the day before the primary or election.

SECTION 61. 11.13 (1) of the statutes is amended to read:

11.13 (1) Notwithstanding ss. 11.10 (1) and 11.16 (4), a state committee of a political party may at any time establish a precampaign committee for the purpose of raising contributions to be transferred to any candidate of the party for ~~U.S. senator,~~ governor, lieutenant governor, secretary of state, state treasurer or attorney general.

SECTION 62. 11.14 of the statutes is renumbered 11.14 (1) and amended to read:

11.14 (1) ~~Any~~ All funds received by a campaign or committee treasurer, group treasurer or individual shall be deposited in a campaign depository account designated "Campaign Fund of (name of candidate, committee, individual or group subject to filing requirement)". Any bank or trust company which is authorized to transact business in this state may be selected as the depository. The individual or treasurer shall deposit all funds received in the campaign depository no later than the 5th business day commencing after receipt.

SECTION 63. 11.14 (2) of the statutes is created to read:

11.14 (2) After deposit in the campaign depository, funds may be transferred by the individual or treasurer to any other account which is identified under s. 11.05 (3) (L). Funds deposited in other accounts may not be directly disbursed but shall be returned to the depository for purposes of disbursement. Disbursements shall be made only in accordance with s. 11.16 (3).

SECTION 64. 11.16 (3) and (4) of the statutes are amended to read:

11.16 (3) Every disbursement ~~exceeding \$25~~ which is made by a registered individual or treasurer from the campaign depository shall be made by negotiable instrument bearing on the face "Campaign Fund of (name of candidate, committee, individual or group subject to filing requirement)".

(4) The treasurer of a personal campaign committee may agree with a prospective contributor that a contribution is received to be utilized for a specific purpose not prohibited by law. Such purpose may not include a disbursement in support of or in opposition to another candidate or the transfer to an individual or committee acting in support of or in opposition to another candidate. When a contribution is made to a political party or to an individual or ~~voluntary~~ committee ~~under s. 11.06 (7)~~ other than a candidate or his personal campaign committee, the purpose may not be specified.

SECTION 65. 11.19 of the statutes is amended to read:

11.19 (1) Where any group or committee except a voluntary committee under s. 11.06 (7), disbands or where any such committee, group or individual ~~under s. 11.23~~ other than an individual filing an oath under s. 11.06 (7) determines that obligations will no longer be incurred, and contributions will no longer be made or received or disbursements made during a calendar year in an aggregate amount of more than \$250, the committee, group or individual ~~shall notify the board and~~ may file a verified termination report with the appropriate filing officer, which shall include information as to the ~~disposition~~ treatment of residual funds which will be disposed of after termination. Residual funds may be used for any political purpose not prohibited by law, returned to the donors in an amount not exceeding the original contribution, or donated to a charitable organization if desired or the common school fund. The report shall be filed and certified as were previous reports, and shall contain the information required by s. 11.06 (1). ~~When~~ If a termination report or suspension report under sub. (3) is not filed, or if any such committee, group or individual under this subsection retains an unexpended balance of contributions or deficit of incurred obligations ~~in a campaign depository account~~ which exceeds \$250, there shall continue to be filed periodic reports containing the information required by s. 11.06 (1) with the ~~board~~ appropriate filing officer, no later than the dates specified in s. 11.20. This subsection does not apply to any registrant making an indication under s. 11.05 (2r).

(2) Where any voluntary committee or individual under s. 11.06 (7) determines that obligations will no longer be incurred, and contributions will no longer be received nor disbursements made during a calendar year, and outstanding incurred obligations are settled, the committee or individual ~~shall~~ may file a verified termination report ~~which shall include information as to the disposition of residual funds with the appropriate filing officer~~. Residual funds may be used for any political purpose not prohibited by law, returned to the donors in an amount not exceeding the original

contribution, or donated to a charitable organization if desired or the common school fund. The report shall be filed and certified as were previous reports, and shall contain the information required by s. 11.06 (1). If a termination report is not filed, there shall continue to be filed periodic reports containing the information required by s. 11.06 (1) with the appropriate filing officer, no later than the dates specified in s. 11.20.

SECTION 66. 11.19 (3) and (4) of the statutes are created to read:

11.19 (3) Notwithstanding sub. (1), any registrant other than a voluntary committee or individual under s. 11.06 (7) who or which determines that obligations will no longer be incurred, and contributions will no longer be made or received or disbursements made during a calendar year in an aggregate amount of more than \$250, and who or which retains an unexpended balance of contributions or deficit of incurred obligations not exceeding \$250 may file a verified suspension report with the appropriate filing officer. The report shall be filed and certified as were previous reports and shall contain the information required under s. 11.06 (1). Upon receipt of a properly executed report, the registrant shall be granted a suspension of the filing requirement under s. 11.06 (8) by the appropriate filing officer. Such suspension is effective only for the calendar year in which it is granted, unless the registrant alters its status before the end of such year or files a termination report under sub. (1).

(4) In no case may a candidate or personal campaign committee file a termination or suspension report covering any period ending sooner than the date of the election in which the candidate or committee is participating.

SECTION 67. 11.20 (1) to (3) of the statutes are amended to read:

11.20 (1) All reports required by s. 11.06 which relate to activities which promote or oppose candidates for state ~~or national~~ office or statewide referenda and all reports under ~~ss. 11.12 and 11.19~~ s. 11.08 (1) shall be filed with the board. All such reports which relate to activities which promote or oppose candidates for local office or local referenda shall be filed with the appropriate filing officer under s. 11.02.

(2) Reports under sub. (1) shall cover all contributions and transactions required to be reported during the periods designated in subs. (3) ~~and~~, (4) ~~and~~ (7). ~~Except as provided under sub. (7) each report need contain only the information required under s. 11.06 (1).~~

(3) Election reports under s. 11.12 by committees or individuals supporting or opposing candidates for state office at any primary or election or by committees or individuals supporting or opposing other committees or individuals who are supporting or opposing such candidates, including by committees of a political party, and by individuals and groups concerned with supporting or opposing a statewide referendum shall be received by the board appropriate filing officer:

(a) No earlier than ~~44~~ 14 days and no later than 8 days preceding the primary or election; and

(b) No earlier than ~~44~~ 21 days and no later than ~~44~~ 30 days after the primary or election.

SECTION 68. 11.20 (4) of the statutes is repealed.

SECTION 69. 11.20 (5) of the statutes is renumbered 11.20 (4) and amended to read:

CHAPTER 93

424

11.20 (4) Continuing reports under s. 11.06 (1) by committees or individuals supporting or opposing candidates for state office, including committees of a political party, and by individuals or groups ~~concerned with supporting or opposing a statewide referendum~~ shall be received by the ~~board~~ 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 10, or on the next business day thereafter if such day is not a business day.

SECTION 70. 11.20 (6) to (8) of the statutes are repealed and recreated to read:

11.20 (6) In the event that any report is required to be filed under this section on a nonbusiness day, it may be filed on the next business day thereafter.

(7) Reports filed under subs. (3) and (4) shall include all contributions received and transactions made as of the end of:

(a) The 15th day preceding the primary or election in the case of the pre-primary and pre-election report;

(b) The 20th day after the primary or election in the case of the post-primary and post-election report;

(c) December 31 in the case of the continuing report required by January 31; and

(d) June 30 in the case of the continuing report required by July 10.

(8) (a) Where a requirement is imposed under this section for the filing of a financial report which is to be received by the appropriate filing officer no later than a certain date, the requirement may be satisfied either by actual receipt of the report by the prescribed time for filing at the office of the filing officer, or by filing a report with the U.S. postal service by first class mail with sufficient prepaid postage, addressed to the appropriate filing officer, no later than the date provided by law for receipt of such report.

(b) In any case where the postal service is employed by a person subject to a filing requirement as the agent for transmittal of a report, the burden is upon such person to show that a report has been filed with the postal service.

(c) It is presumed until the contrary is established that the date shown by the postal service cancellation mark on the envelope containing the report is the date that it was deposited in the mail.

SECTION 71. 11.20 (10) of the statutes is amended to read:

11.20 (10) If a candidate is unopposed in a primary or election ~~after the time prescribed by law for qualifying for nomination or election to the office~~, his obligation to file the reports required by this chapter does not cease. ~~A candidate or other~~ Except as provided in s. 11.05 (2r) and 11.19 (3), a registrant who makes or receives no contributions, makes no disbursements or incurs no obligations shall so report on the dates designated in subs. (3) ~~to (6)~~ and (4).

SECTION 72. 11.20 (11) of the statutes is created to read:

11.20 (11) In the event of failure of a candidate or his treasurer to file a report or statement required by this chapter by the time prescribed by law, action may be commenced against the candidate, his campaign treasurer, or his personal campaign committee, if any, or any combination of them.

SECTION 73. 11.21 (2) of the statutes is amended to read:

11.21 (2) Furnish to each candidate, individual, committee or group registered with it under s. 11.05 prescribed forms for the making of reports and statements.

Forms shall be sent by 1st class mail not later than 14 days prior to the applicable filing deadline under s. 11.20, and addressed to the attention of the ~~person certifying the registration or most recent report~~ treasurer or other person indicated on the registration statement. Forms need not be sent to a registrant who has made an indication that aggregate contributions, disbursements and obligations will not exceed \$250 in a calendar year under s. 11.05 (2r) or to a registrant who has been granted a suspension under s. 11.19 (3). Failure to receive a form does not exempt a registrant from compliance with this chapter.

SECTION 74. 11.21 (11) (intro.), (b) and (c) of the statutes are amended to read:

11.21 (11) (intro.) Receive and maintain in an orderly manner all reports and statements required to be filed with the state under the federal election campaign act of 1971 (~~P.L. 92-225~~) with it, and in addition shall:

(b) Notwithstanding sub. (5), make each report and statement ~~filed with it under this subsection~~ transmitted to it under s. 14.38 (7) available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the day during which it is received from the secretary of state.

(c) Compile and maintain a current list of all reports and statements or parts thereof pertaining to each candidate who is required to file a report or statement under ~~P.L. 92-225~~ such act.

SECTION 75. 11.21 (11) (d) of the statutes is created to read:

11.21 (11) (d) In the event that any candidate or committee supporting or opposing a candidate for national office fails to file a timely financial report or statement with the state as required by such act, file a report of such fact with the appropriate federal authority, in the form prescribed by federal law or regulation. Such reports shall be made available for public inspection.

SECTION 76. 11.21 (13) of the statutes is repealed and recreated to read:

11.21 (13) Determine whether each financial report or statement required to be filed under this chapter has been filed in the form and by the time prescribed by law, and whether it conforms on its face to the requirements of this chapter. In addition to the notice required by sub. (12), the board shall immediately send to any registrant who is delinquent in filing, or who has filed otherwise than in the proper form, a notice that the registrant has failed to comply with this chapter.

SECTION 77. 11.21 (14) of the statutes is amended to read:

11.21 (14) Prepare, publish and periodically revise as necessary, a manual simply and concisely describing the filing and registration requirements established in this chapter in detail, as well as other major provisions of chs. 11 and 12. Copies shall be distributed to election officials, to each candidate for ~~national~~, state or local office upon filing nomination papers and to every committee, individual or group upon registering under s. 11.05. Distribution to all others shall be made upon payment of a fee of \$1 per copy.

SECTION 78. 11.21 (15) of the statutes is created to read:

11.21 (15) Periodically review the adequacy of the disbursement limitations imposed under s. 11.31 and submit such recommendations to the legislature for adjustments as it may deem appropriate.

SECTION 79. 11.215 of the statutes is created to read:

11.215 Federal election campaign reports. The officer or agency designated by the federal election campaign act shall receive all reports and statements required to be filed with the state under the federal election campaign act, and shall promptly

transmit such reports or copies thereof to the board, which shall be the agent of the officer or agency designated by such act for purposes of compliance by this state with the federal law. In the event that the federal law at any time permits the state to designate which officer or agency shall receive and maintain reports and statements under the federal election campaign act, the board is designated to be the agency which shall carry out such duties.

(1) Preserve such reports and statements for a period of 10 years from date of receipt, except that reports and statements relating solely to candidates for the U.S. house of representatives need be preserved for only 6 years from the date of receipt.

(2) Compile and maintain a current list of all reports and statements or parts thereof pertaining to each candidate who is required to file a report or statement under such act.

(3) Develop a filing, coding, and cross-indexing system consonant with the purposes of such act.

(4) Make the reports and statements filed with him available for public inspection and copying, commencing as soon as practicable but not later than the end of the 2nd day following the day during which it was received, and, notwithstanding s. 14.38 (9), permit copying of any such report or statement by hand or by duplicating machine at cost, as requested by any person, provided that any information copied from such reports and statements may not be sold or utilized by any person for the purpose of soliciting contributions or for any commercial purpose.

SECTION 80. 11.22 (title) of the statutes is amended to read:

11.22 (title) Duties of local filing officer.

SECTION 81. 11.22 (1) to (6) of the statutes, as affected by chapter 41, laws of 1975, are repealed.

SECTION 82. 11.22 (7) (intro.), (a) and (b) of the statutes are renumbered 11.22 (intro.), (1) and (2), respectively.

SECTION 83. 11.22 (7) (c) of the statutes is renumbered 11.22 (3) and amended to read:

11.22 (3) Furnish to each candidate, individual, committee or group registered with him under s. 11.05, prescribed forms for the making of reports and statements. Forms shall be sent by 1st class mail not later than 14 days prior to the applicable filing deadline under ~~sub. (6) s. 11.20~~ and addressed to the attention of the ~~person certifying the registration or most recent report treasurer or other person indicated on the registration statement.~~ Forms need not be sent to a registrant who has made an indication that aggregate contributions, disbursements and obligations will not exceed \$250 in a calendar year under s. 11.05 (2r) or to a registrant who has been granted a suspension under s. 11.19 (3). Failure to receive a form does not exempt a registrant from compliance with this chapter.

SECTION 84. 11.22 (7) (d) to (h) of the statutes are renumbered 11.22 (4) to (8), respectively.

SECTION 85. 11.22 (7) (i) of the statutes is repealed.

SECTION 86. 11.22 (9) of the statutes is created to read:

11.22 (9) Determine whether each financial report or statement required to be filed under this chapter has been filed in the form and by the time prescribed by law, and whether it conforms on its face to the requirements of this chapter. In addition to the notice required by sub. (7), the officer shall immediately send to any registrant who is delinquent in filing, or who has filed otherwise than in the proper form, a notice that the registrant has failed to comply with this chapter.

SECTION 87. 11.23 (1), (4) and (6) of the statutes are amended to read:

11.23 (1) Any group or individual may promote or oppose any referendum in this state. Before making disbursements, receiving contributions or incurring obligations in excess of \$25 in the aggregate in a calendar year for such purposes, the group or individual shall file a verified registration statement under s. 11.05 (1), (2) or (2r). In the case of a group the name and mailing address of each of its officers shall be given in the statement. Every group and every individual under this section shall designate a ~~bank or trust company authorized to transact business in this state as a campaign depository and may maintain accounts with that depository for the deposit of funds received~~ under s. 11.14. Every group shall appoint a treasurer, who may delegate his authority but is jointly responsible for the actions of his authorized designee for purposes of civil liability under this chapter. The appropriate filing officer shall be ~~promptly~~ notified by a group of any change in its treasurer within 10 days of the change under s. 11.05 (5). The treasurer of a group shall certify the correctness of each statement or report submitted by it under this chapter.

(4) Each group or individual shall file periodic reports as provided in ss. 11.06, 11.19 ~~and 11.20 and 11.22 (5) and (6) (e)~~.

(6) If any contribution exceeding \$500 cumulatively is received from a single contributor later than ~~44~~ 15 days prior to ~~a primary or an~~ election such that it is not included in the election report submitted under s. 11.20 (3) (a), the treasurer of the group or the individual receiving such contribution shall within 24 hours of receipt inform the ~~board~~ appropriate filing officer of the information required under s. 11.06 (1) in such manner as the board may prescribe. The information shall also be included in the next regular report. Contributions under this subsection cumulate beginning with the day after the last date covered on the preelection report, and ending with the day before the election.

SECTION 87m. 11.25 (2) of the statutes is amended to read:

11.25 (2) (a) No person, committee or group may make or authorize a disbursement or the incurrence of an obligation from moneys solicited for political purposes for a purpose which is other than political, except as specifically authorized by law.

(b) Notwithstanding the definition of "political purposes" in s. 11.01 (16), a registrant may accept contributions and make disbursements from a campaign depository for the purposes of payment of legal fees and other expenses as a result of a recount at any election. If such expenses are paid from contributions made to the campaign depository, they are reportable under s. 11.06 (1) as disbursements. Otherwise, such expenses are not reportable under s. 11.06 (1). If contributions from the campaign depository are used for such expenses, they are subject to s. 11.26.

SECTION 88. 11.25 (3) of the statutes is created to read:

11.25 (3) No moneys solicited for political purposes and reported under this chapter may be invested for the purpose of producing income unless the investment is in direct obligations of the United States and of agencies and corporations wholly owned by the United States, commercial paper maturing within one year from the date of investment, preferred shares of a corporation or an interest-bearing account at any financial institution as defined in s. 705.01 (3).

SECTION 89. 11.26 (1) (a) of the statutes is amended to read:

11.26 (1) (a) Candidates for ~~U.S.—senator,~~ governor, lieutenant governor, secretary of state, state treasurer, attorney general, state superintendent of public instruction and justice of the supreme court, \$10,000.

SECTION 90. 11.26 (1) (b) of the statutes is repealed.

SECTION 91. 11.26 (1) (c) and (d) of the statutes are renumbered 11.26 (1) (b) and (c), respectively.

SECTION 92. 11.26 (1) (e) of the statutes is renumbered 11.26 (1) (d) and amended to read:

11.26 (1) (d) Candidates for all other state and local offices, 5% of the value of the candidate's authorized disbursement limitation under s. 11.31, or \$100, whichever is greater.

SECTION 93. 11.26 (2) (a) and (b) of the statutes are amended to read:

11.26 (2) (a) Candidates for ~~U.S.—senator,~~ governor, lieutenant governor, secretary of state, state treasurer, attorney general, state superintendent of public instruction and justice of the supreme court, 4% of the value of the candidate's authorized disbursement limitation under s. 11.31.

(b) Candidates for other ~~national,~~ state and local offices, 5% of the value of the candidate's authorized disbursement limitation under s. 11.31.

SECTION 94. 11.26 (3) to (6) and (10) of the statutes are amended to read:

11.26 (3) The contribution limitations of subs. (1) and (2) apply cumulatively to the entire primary and election campaign in which a candidate participates, whether or not there is a contested primary election. The total limitation may be apportioned in any manner desired between the primary and election. All moneys cumulate regardless of the time of contribution.

(4) No individual may make any contribution or contributions, directly or indirectly, to all candidates for ~~national,~~ state and local offices or to any individuals or committees acting in support of or in opposition to such candidates, including committees of a political party, to the extent of more than a total of \$10,000 in any calendar year.

(5) No committee other than a political party committee may make any contributions, directly or indirectly, to all candidates for ~~U.S.—senator,~~ governor, lieutenant governor, secretary of state, state treasurer, attorney general, state superintendent of public instruction and justice of the supreme court or to any individuals or ~~voluntary~~ committees ~~under s. 11.06 (7)~~ acting in support of or in opposition to such candidates, to the extent of more than a total of \$50,000 in any biennium.

(6) No committee other than a political party committee may make any contributions, directly or indirectly, to all candidates for every ~~national,~~ state or local office except those specified in sub. (5), or to any individuals or ~~voluntary~~ committees ~~under s. 11.06 (7)~~ acting in support of or in opposition to such candidates, to the extent of more than a total of \$30,000 in any biennium.

(10) Notwithstanding sub. (1), a candidate may make contributions of not more than 150% of the amounts specified to his own campaign, except that any candidate who is covered under s. 11.31 (1) (g) and (h) may make contributions of not more than \$500, or 300% of the amounts specified to his own campaign, whichever is greater. The contribution limit of sub. (4) applies to amounts contributed by a candidate personally to his own campaign and to other campaigns, except that a candidate may exceed the limitation if he is authorized under this section to contribute more than the amount specified to his own campaign, up to the amount of that limitation. A candidate's personal contributions must be deposited in his campaign depository account and reported in the normal manner.

SECTION 95. 11.26 (12) of the statutes is created to read:

11.26 (12) In computing the limitations under this section, any transfer of funds between the candidates for governor and lieutenant governor of the same political party in the general election may be excluded.

SECTION 96. 11.30 (2) of the statutes is amended to read:

11.30 (2) The source of all printed advertisements, billboards, handbills, sample ballots, paid television and radio advertisements and other communications intended for political purposes shall clearly appear thereon. In the case of a communication in support of or in opposition to a specific candidate the communication must contain the name of the candidate and be identified by the words "Paid for by" followed by the name ~~and address~~ of the campaign individual, treasurer or other authorized agent of ~~the a candidate on whose behalf~~ making the actual payment for the communication is made. Communications made by a candidate who is serving as his own treasurer need contain only the words "Paid for by" followed by the name and address of the candidate. A voluntary committee or individual under s. 11.06 (7) shall also in every communication in support of or in opposition to a candidate affirm that the committee or individual is the sole source of the communication and that it is made without the encouragement, direction or control of the candidate who is being supported or opposed. In any other communication intended for political purposes the name of the group, committee or other sponsoring organization making the actual payment for the communication, its chief executive officer ~~and his address~~ must be stated. An individual ~~under s. 11.23~~ shall also state his name ~~and address~~ in making such communications. Communications under this section by a personal campaign committee may identify the committee or any bona fide subcommittee thereof. ~~If the reference is not explicit, the communication is presumed to be paid for by the campaign treasurer of the candidate who is supported.~~ This subsection does not apply to the transmittal of personal correspondence which is not reproduced by machine for distribution. No person may publish or disseminate, or cause to be published or disseminated any communication in violation of this subsection.

SECTION 97. 11.31 (1) (intro.) of the statutes is amended to read:

11.31 (1) (intro.) No candidate for ~~national~~, state or local office may make or authorize total disbursements from the campaign treasury in any campaign to the extent of more than the following:

SECTION 98. 11.31 (1) (a) and (b) of the statutes are repealed.

SECTION 99. 11.31 (1) (c) to (i) of the statutes are renumbered 11.31 (1) (a) to (g), respectively.

SECTION 100. 11.31 (1) (j) of the statutes is renumbered 11.31 (1) (h) and amended to read:

11.31 (1) (h) Candidates for any other state or local office, who are elected from a jurisdiction or district with less than 500,000 inhabitants according to the latest federal census or census information on which the district is based, as certified by the appropriate filing officer, an amount equal to the greater of 1) \$500; or 2) one-fourth of the annual salary for the office sought; or 3) ~~40~~ 15 cents per inhabitant of the jurisdiction or district, but in no event more than \$20,000, for both the primary and the election combined. Within the limitation upon total disbursements specified, the candidates under this paragraph may allocate the disbursements between the primary and the election in any proportion they desire, and may carry over funds from a primary campaign to election campaign. If such a candidate does not participate in a primary campaign, total disbursements may be spent entirely in the election.

SECTION 101. 11.31 (2) and (6) of the statutes are amended to read:

11.31 (2) Candidates for governor and lieutenant governor of the same political party may agree to combine limitations under sub. (1) ~~(c) and (d)~~ (a) and (b) in the general election and reallocate the total limitation between them. The board shall be informed of any such agreement.

(6) In computing the limitations under this section an individual or campaign treasurer may exclude any recount expenses paid from the campaign depository under s. 11.25 (2) (b); all federal, state or local taxes paid; and the cost of facilities rental, entertainment expense, food and beverages (including the preparation and service thereof if contracted to an outside agency) ~~and any taxes which may apply, if utilized for a meal, sale, rally or similar fund raising event effort or program which is intended for political purposes.~~ Any such exclusion claimed shall be reported to the appropriate filing officer in such form as the board may require.

SECTION 102. 11.31 (7) of the statutes is created to read:

11.31 (7) (a) For purposes of this section, the "campaign" of a candidate extends from the first day of the year in which the election or primary for the office for which he seeks takes place, or from the date of public announcement, whichever is earlier, through the last day of the month following the month in which the election or primary is held.

(b) Disbursements which are made before a campaign period for goods to be delivered or services to be rendered in connection with the campaign are charged against the disbursement limitation for that campaign.

(c) Disbursements which are made after a campaign to retire a debt incurred in relation to a campaign are charged against the disbursement limitation for that campaign.

(d) Disbursements which are made outside a campaign period and to which par. (b) or (c) does not apply are not subject to any disbursement limitation. Such disbursements are subject to s. 11.25 (2).

SECTION 102m. 11.315 of the statutes is created to read:

11.315 Special advertisement by candidate. Notwithstanding ss. 11.12 (1), 11.14, 11.16 (3), 11.26 and 11.31, a candidate may personally make a disbursement from his own funds within 15 days after the general election in which his name appears on the ballot for the purpose of placing a single advertisement not exceeding 15 column inches in any or all newspapers in the jurisdiction or district in which he is a candidate for the purpose of thanking his supporters. Such disbursement shall be reported by the candidate or his campaign treasurer under s. 11.06 (1). The advertisement shall be identified in accordance with s. 11.30 (2).

SECTION 103. 11.38 (1) (a) of the statutes is amended to read:

11.38 (1) (a) 1. No foreign or domestic corporation ~~organized under ch. 180 or 181,~~ or association organized under ch. 185, may make any contribution or disbursement, directly or indirectly, to any political party, committee, group, candidate or individual for any political purpose or to promote or defeat the candidacy of any person for nomination or election to any public office or any referendum to be submitted to the voters.

2. Any Notwithstanding subd. 1, any such corporation or association may establish and administer a separate segregated fund and solicit contributions from individuals to such fund to be utilized for political purposes by such corporation or association, but the corporation or association may not make ~~contributions~~ any contribution to such fund. Such fund shall appoint a single treasurer and shall register as a political committee or group under s. 11.05. The corporation or association may not expend more than \$500 annually for solicitation of contributions to such fund.

SECTION 104. 11.40 (1) (b), (2), (3) and (4) of the statutes are amended to read:

11.40 (1) (b) “Special privilege” or “privilege” means any thing of value not available to the general public. The term does not include compensation or fringe benefits incidental to employment provided by a public utility to regular employes or pensioners who are not compensated specifically for services performed for a political purpose, and not in excess of that provided to other regular employes or pensioners of like status.

(2) No public utility or anyone connected therewith may offer or give any special privilege to any candidate for public office or any committee or its members or employes, or any individual under s. 11.06 (7), or to any person third party at the request of or for the advantage of any of them.

(3) No candidate for ~~national, state or local~~ public office or any committee or member or employe thereof or any individual under s. 11.06 (7) may ask for or accept any special privilege from any public utility.

(4) This section does not apply to notaries public or to regular public utility employes or pensioners who are candidates for or hold public offices for which the annual compensation is not more than \$300 so long as the privilege does not exceed those extended to other regular employes or pensioners of the utility.

SECTION 105. 11.64 (1) of the statutes is amended to read:

11.64 (1) Any candidate or public official who is charged with or being investigated for a criminal violation of this chapter or ch. 12, or whose agent is so charged or investigated, may establish a defense fund for legal expenses, costs, fees and payments supporting agents or dependents of ~~accused or convicted~~ persons accused or convicted of criminal violations.

SECTION 105m. 11.67 of the statutes is created to read:

11.67 Notices. All notices under this chapter which are required to be sent to the candidate or treasurer shall be sent to both.

SECTION 106. 12.01 of the statutes is amended to read:

12.01 Definitions. The definitions given under s. 11.01 apply to this chapter, except that a “candidate” includes candidates for ~~president and vice president of the United States~~ national office. In this chapter, criminal intent shall be construed in accordance with s. 939.23.

SECTION 107. 12.11 (4) of the statutes is amended to read:

12.11 (4) The term “any thing of value” as used in this section includes money or any object which has utility independent of any political message contained therein, the value of which exceeds $\$$ 10 cents. The prohibitions of this section apply to the distribution of material printed at public expense and available for free distribution if such materials are accompanied by a political message.

SECTION 108. 12.13 (1) (intro.) of the statutes is amended to read:

12.13 (1) (intro.) **ELECTORS.** The municipal clerk or local election board shall post a copy of this subsection, and a copy of the penalties under s. 12.60 (1) in a conspicuous place ~~in at each election booth~~ polling place. Whoever intentionally does any of the following violates this chapter:

SECTION 109. 12.13 (3) (h) of the statutes is amended to read:

12.13 (3) (h) Deface ~~or,~~ destroy or remove any legally placed election campaign advertising poster with intent to disrupt the campaign advertising efforts of any candidate, or of any committee, group or individual under ch. 11, or alter the information printed thereon so as to change the meaning thereof to the disadvantage of

the candidate or cause espoused. Nothing in this paragraph restricts the right of any owner or occupant of any real property, or the owner or operator of any motor vehicle, to remove campaign advertising posters from such property or vehicle.

SECTION 110. 12.13 (3) (i) of the statutes is repealed and recreated to read:

12.13 (3) (i) Falsely make any statement for the purpose of obtaining an absentee ballot pursuant to s. 6.87.

SECTION 111. 14.38 (7) of the statutes is created to read:

14.38 (7) **FEDERAL CAMPAIGN RECORDS.** For such period as federal law may require, receive statements and reports filed under the federal election campaign act in accordance with s. 11.215, and transmit each statement or report, or a true copy thereof, to the elections board within 24 hours of receipt. No charge shall be made for copies provided to the board.

SECTION 112. 15.611 (intro.) of the statutes is amended to read:

15.611 Same; program responsibilities. (intro.) The elections board shall have the program responsibilities specified for the board under Title II and ss. 13.23, 16.79 (2) (b), 17.17 (1) and 198.08 (10). In addition:

SECTION 113. **Word change.** Wherever the term "elections board" appears in sections 59.03 (2) (a) and (2) (c), 198.06 (5) and (7) and 198.20 of the statutes, the term "secretary of state" is substituted.

SECTION 114. 946.11 (2) (b) of the statutes is renumbered 946.11 (2) (c).

SECTION 115. 946.11 (2) (b) of the statutes is created to read:

946.11 (2) (b) "Privilege" has the meaning designated under s. 11.40.

SECTION 116. 946.11 (3) of the statutes is amended to read:

946.11 (3) This section does not apply to notaries public and regular employes or pensioners of a railroad or other public utility who hold public offices for which the annual compensation is not more than \$300 to whom no passes or privileges are extended beyond those which are extended to other regular employes or pensioners of such corporation.

SECTION 117. **Penalty insertions.** Under the listing of penalties specified in section 11.61 (1) (a) of the statutes, the references to section "11.05 (2g) and (2r)" of the statutes, as created by this act, are inserted.

SECTION 118. **Program citation.** Under the listing of program responsibilities specified for the office of the secretary of state in section 14.361 of the statutes, the references to sections "7.70 (3) (g)", "11.215", "59.03", "198.06 (5) and (7)" and "198.20" are inserted.

SECTION 119. **Cross-reference changes.** (1) Wherever the reference appears to any portion of section 11.22 of the statutes in sections 11.06 (5), 11.23 (3), 11.26 (11), 11.29 (2), 11.31 (3) and 11.61 (1) (a) of the statutes, the reference is deleted.

(2) In the sections listed below in column A, the cross references shown in column B are changed to the cross references shown in column C:

| A | B | C |
|-----------------------------|----------------------|----------------------|
| Statute Section | Old Cross References | New Cross References |
| 6.87 (2) | ch. 12 | 12.60 (1) (b) |
| 11.06 (9) | 11.22 (7) (c) | 11.22 (3) |
| 11.12 (3) | 11.19 | 11.19 (1) or (2) |
| 11.13 (3) | 11.20 (5) | 11.20 (4) |
| 11.21 (1) | 11.22 (7) (a) | 11.22 (1) |
| 11.21 (3) | 11.22 (7) (a) | 11.22 (1) |
| 11.22 (7), as renumbered | 11.22 (7) (c) | 11.22 (3) |

433

CHAPTER 93

11.23 (3)
11.31 (4)

11.19
11.31 (1) (j)

11.19 (1) or (2)
11.31 (1) (h)
