



State of Wisconsin
1999 - 2000 LEGISLATURE

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**SENATE SUBSTITUTE AMENDMENT 1,
TO 1999 SENATE BILL 113**

June 8, 1999 - Offered by Senator ELLIS.

1 **AN ACT to repeal** 11.01 (12s), 11.05 (3) (o), 11.26 (9) (c), 11.265, 11.31 (1) (b), 11.31
2 (2m), 11.31 (3), 11.31 (3m), 11.31 (4), 11.50 (2) (i), 11.50 (3), 11.50 (6), 20.855 (4)
3 (b) and 71.10 (3); **to renumber and amend** 11.12 (6), 11.26 (9) (a), 11.26 (10),
4 11.50 (2) (b) 5. and 11.50 (9); **to amend** 5.02 (13), 5.02 (18), 7.08 (2) (c) and (cm),
5 8.35 (4) (b), 10.02 (3) (b) 2m., 11.01 (5m), 11.05 (3) (c), 11.05 (9) (b), 11.06 (2),
6 11.06 (7m) (a), 11.06 (7m) (c), 11.09 (3), 11.12 (5), 11.16 (5), 11.20 (2m), 11.20 (3)
7 (d), 11.20 (3) (g), 11.20 (8) (intro.), 11.20 (12), 11.21 (15), 11.26 (1) (intro.), 11.26
8 (1) (a), (b) and (c), 11.26 (2) (intro.), 11.26 (2) (a), 11.26 (4), 11.26 (8), 11.26 (9)
9 (b), 11.26 (13), 11.26 (17) (a), 11.31 (1) (a), 11.31 (1) (c) and (d), 11.31 (1) (e) and
10 (f), 11.31 (2), 11.31 (7) (a), 11.50 (title), 11.50 (1) (b), 11.50 (2) (a), 11.50 (2) (b)
11 (intro.), 11.50 (2) (g), 11.50 (5), 11.50 (9) (title), 11.50 (11) (e), 11.61 (1) (a), 11.61
12 (1) (a), 11.61 (1) (b), 11.61 (1) (b), 11.61 (1) (c), 14.58 (20), 20.510 (1) (q), 25.17
13 (1) (ys) and 25.42; **to repeal and recreate** 11.50 (4); and **to create** 11.01 (16)

1 (a) 3., 11.05 (3) (d), 11.12 (6) (b) to (e), 11.12 (7), 11.20 (2e), 11.20 (2s), 11.20 (2t),
2 11.20 (8) (ak) and (aL), 11.20 (8) (am), 11.20 (8) (an), 11.24 (1t), 11.24 (1w), 11.26
3 (1m), 11.26 (9) (a) 1. to 5., 11.26 (9) (aa), 11.26 (9) (am), 11.26 (10) (b), 11.26 (10a),
4 11.31 (3p), 11.31 (7) (e), 11.31 (9), 11.50 (2) (b) 5. a. to e., 11.50 (2) (bm), 11.50 (9)
5 (a) 1. to 5., 11.50 (9) (b), 11.50 (9) (ba), 11.50 (9) (bb), 11.50 (9) (bc), 11.50 (9a),
6 11.60 (3s) and (3t), 11.61 (1) (d), 11.62 and 20.855 (4) (bb) of the statutes;
7 **relating to:** campaign financing, providing exemptions from emergency rule
8 procedures, granting rule-making authority, making appropriations and
9 providing penalties.

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

10 **SECTION 1.** 5.02 (13) of the statutes is amended to read:

11 5.02 (13) “Political party” or “party” means a state committee registered under
12 s. 11.05 organized exclusively for political purposes under whose name candidates
13 appear on a ballot at any election, and all county, congressional, legislative, local and
14 other affiliated committees authorized to operate under the same name. For
15 purposes of ch. 11, the term does not include a legislative campaign committee or a
16 committee filing an oath under s. 11.06 (7).

17 **SECTION 2.** 5.02 (18) of the statutes is amended to read:

18 5.02 (18) “September primary” means the primary held the 2nd Tuesday in
19 September to nominate candidates to be voted for at the general election, and to
20 determine which candidates for state offices other than district attorney may
21 participate in the Wisconsin election campaign clean government fund.

22 **SECTION 3.** 7.08 (2) (c) and (cm) of the statutes are amended to read:

1 7.08 (2) (c) As soon as possible after the canvass of the spring and September
2 primary votes, but no later than the first Tuesday in March and the 4th Tuesday in
3 September, transmit to the state treasurer a certified list of all eligible candidates
4 for state office who have filed applications under s. 11.50 (2) and ~~whom~~ who the board
5 determines to be eligible to receive payments from the ~~Wisconsin election campaign~~
6 clean government fund. The board shall also transmit a similar list of candidates
7 who the board determines to be eligible to receive a grant under s. 11.50 (9) (b), (ba),
8 (bb) or (bc) within 3 days after any candidate qualifies to receive such a grant. Each
9 list shall contain each candidate's name, the mailing address indicated upon the
10 candidate's registration form, the office for which the individual is a candidate and
11 the party or principle which he or she represents, if any.

12 (cm) As soon as possible after the canvass of a special primary, or the date that
13 the primary would be held, if required, transmit to the state treasurer a certified list
14 of all eligible candidates for state office who have filed applications under s. 11.50 (2)
15 and ~~whom~~ who the board determines to be eligible to receive a grant from the
16 ~~Wisconsin election campaign~~ clean government fund prior to the election. The board
17 shall also transmit a similar list of candidates, if any, who have filed applications
18 under s. 11.50 (2) and ~~whom~~ who the board determines to be eligible to receive a grant
19 under s. 11.50 (1) (a) 2. after the special election. ~~The~~ or a grant under s. 11.50 (9)
20 (b), (ba), (bb) or (bc) within 3 days after any candidate qualifies to receive such a
21 grant. Each list shall contain each candidate's name, the mailing address indicated
22 upon the candidate's registration form, the office for which the individual is a
23 candidate and the party or principle which he or she represents, if any.

24 **SECTION 4.** 8.35 (4) (b) of the statutes is amended to read:

1 8.35 (4) (b) Notwithstanding par. (a), any unspent and unencumbered moneys
2 received by a candidate from the ~~Wisconsin election campaign~~ clean government
3 fund shall be immediately transferred to any candidate who is appointed to replace
4 such candidate, upon filing of a proper application therefor under s. 11.50 (2). If there
5 is no candidate appointed or if no proper application is filed within 7 days of the date
6 on which the vacancy occurs, such moneys shall revert to the state as provided in s.
7 11.50 (8).

8 **SECTION 5.** 10.02 (3) (b) 2m. of the statutes is amended to read:

9 10.02 (3) (b) 2m. At the September primary, the elector shall select the party
10 ballot of his or her choice or the ballot containing the names of the independent
11 candidates for state office, and make a cross [X] in the square at the right of or
12 depress the lever or button next to the candidate's name for each office for whom the
13 elector intends to vote or insert or write in the name of the elector's choice for a party
14 candidate, if any. In order to qualify for participation in the ~~Wisconsin election~~
15 ~~campaign~~ clean government fund, a candidate for state office at the September
16 primary, other than a candidate for district attorney, must receive at least 6% of all
17 votes cast on all ballots for the office for which he or she is a candidate, in addition
18 to other requirements.

19 **SECTION 6.** 11.01 (5m) of the statutes is amended to read:

20 11.01 (5m) "Conduit" means an individual who or ~~an organization~~ a committee
21 which receives a contribution of money and transfers the contribution to another
22 individual or ~~organization~~ committee without exercising discretion as to the amount
23 which is transferred and the individual to whom or ~~organization~~ committee to which
24 the transfer is made.

25 **SECTION 7.** 11.01 (12s) of the statutes is repealed.

1 **SECTION 8.** 11.01 (16) (a) 3. of the statutes is created to read:

2 11.01 **(16)** (a) 3. A communication that is made by means of one or more
3 communications media, other than a communication that is exempt from reporting
4 under s. 11.29, that is made during the period beginning on the 60th day preceding
5 an election and ending on the date of that election and that includes a reference to
6 a candidate whose name is certified under s. 7.08 (2) (a) or 8.50 (1) (d) to appear on
7 the ballot at that election, an office to be filled at that election or a political party.

8 **SECTION 9.** 11.05 (3) (c) of the statutes is amended to read:

9 11.05 **(3)** (c) In the case of a committee, a statement as to whether the
10 committee is a personal campaign committee, a political party committee, a
11 ~~legislative campaign committee~~, a support committee or a special interest
12 committee.

13 **SECTION 10.** 11.05 (3) (d) of the statutes is created to read:

14 11.05 **(3)** (d) An indication of whether the proposed registrant is a conduit.

15 **SECTION 11.** 11.05 (3) (o) of the statutes is repealed.

16 **SECTION 12.** 11.05 (9) (b) of the statutes is amended to read:

17 11.05 **(9)** (b) An individual who or a committee or group which receives a
18 contribution of money and transfers the contribution to another individual,
19 committee or group while acting as a conduit is not subject to registration under this
20 section unless the individual, committee or group transfers the contribution to a
21 candidate or a personal campaign, ~~legislative campaign~~, political party or support
22 committee.

23 **SECTION 13.** 11.06 (2) of the statutes is amended to read:

24 11.06 **(2)** DISCLOSURE OF CERTAIN INDIRECT DISBURSEMENTS. Notwithstanding
25 sub. (1), if a disbursement is made or obligation incurred by an individual other than

1 a candidate or by a committee or group which is not primarily organized for political
2 purposes, and the disbursement does not constitute a contribution to any candidate
3 or other individual, committee or group, the disbursement or obligation is required
4 to be reported only if the purpose is to expressly advocate the election or defeat of a
5 clearly identified candidate or the adoption or rejection of a referendum or if the
6 disbursement is made or the obligation incurred for a purpose is specified in s. 11.01
7 (16) (a) 3. The exemption provided by this subsection shall in no case be construed
8 to apply to a political party, ~~legislative campaign~~, personal campaign or support
9 committee.

10 **SECTION 14.** 11.06 (7m) (a) of the statutes is amended to read:

11 11.06 **(7m)** (a) If a committee which was registered under s. 11.05 as a political
12 party committee ~~or legislative campaign committee~~ supporting candidates of a
13 political party files an oath under sub. (7) affirming that it does not act in cooperation
14 or consultation with any candidate who is nominated to appear on the party ballot
15 of the party at a general or special election, that the committee does not act in concert
16 with, or at the request or suggestion of, such a candidate, that the committee does
17 not act in cooperation or consultation with such a candidate or agent or authorized
18 committee of such a candidate who benefits from a disbursement made in opposition
19 to another candidate, and that the committee does not act in concert with, or at the
20 request or suggestion of, such a candidate or agent or authorized committee of such
21 a candidate who benefits from a disbursement made in opposition to another
22 candidate, the committee filing the oath may not make any contributions in support
23 of any candidate of the party at the general or special election or in opposition to any
24 such candidate's opponents exceeding the amounts specified in s. 11.26 (2), except as
25 authorized in par. (c).

1 **SECTION 15.** 11.06 (7m) (c) of the statutes is amended to read:

2 11.06 **(7m)** (c) A committee filing an oath under sub. (7) which desires to change
3 its status to a political party committee ~~or legislative campaign committee~~ may do
4 so as of December 31 of any even-numbered year. Section 11.26 does not apply to
5 contributions received by such a committee prior to the date of the change. Such a
6 committee may change its status at other times only by filing a termination
7 statement under s. 11.19 (1) and reregistering as a newly organized committee under
8 s. 11.05.

9 **SECTION 16.** 11.09 (3) of the statutes is amended to read:

10 11.09 **(3)** Each registrant whose filing officer is the board, who or which makes
11 disbursements in connection with elections for offices which serve or referenda
12 which affect only one county or portion thereof, except a candidate, personal
13 campaign committee, political party committee or other committee making
14 disbursements in support of or in opposition to a candidate for state senator,
15 representative to the assembly, court of appeals judge or circuit judge, shall file a
16 duplicate original of each financial report filed with the board with the county clerk
17 or board of election commissioners of the county in which the elections in which the
18 registrant participates are held. Such reports shall be filed no later than the
19 applicable dates specified under s. 11.20 (2), (2e), (2m), (2s), (2t) and (4) for the filing
20 of each report with the board.

21 **SECTION 17.** 11.12 (5) of the statutes is amended to read:

22 11.12 **(5)** If Except as otherwise required under sub. (7), if any contribution or
23 contributions of \$500 or more cumulatively are received by a candidate for state office
24 or by a committee or individual from a single contributor later than 15 days prior to
25 a primary or election such that it is not included in the preprimary or preelection

1 report submitted under s. 11.20 (3), the treasurer of the committee or the individual
2 receiving the contribution shall within 24 hours of receipt inform the appropriate
3 filing officer of the information required under s. 11.06 (1) in such manner as the
4 board may prescribe. The information shall also be included in the treasurer's or
5 individual's next regular report. For purposes of the reporting requirement under
6 this subsection, only contributions received during the period beginning with the day
7 after the last date covered on the preprimary or preelection report, and ending with
8 the day before the primary or election need be reported.

9 **SECTION 18.** 11.12 (6) of the statutes is renumbered 11.12 (6) (a) and amended
10 to read:

11 11.12 (6) (a) ~~If~~ Except as provided in par. (b), if any disbursement of more than
12 \$20 cumulatively is made to advocate the election or defeat of a clearly identified
13 candidate by an individual or committee later than 15 days prior to a primary or
14 election in which the candidate's name appears on the ballot without cooperation or
15 consultation with a candidate or agent or authorized committee of a candidate who
16 is supported or opposed, and not in concert with or at the request or suggestion of
17 such a candidate, agent or committee, the individual or treasurer of the committee
18 shall, within 24 hours of making the disbursement, inform the appropriate filing
19 officer of the information required under s. 11.06 (1) in such manner as the board may
20 prescribe. ~~The information shall also be included in the next regular report of the~~
21 ~~individual or committee under s. 11.20.~~ For purposes of this subsection paragraph,
22 disbursements cumulate beginning with the day after the last date covered on the
23 preprimary or preelection report and ending with the day before the primary or
24 election. Upon receipt of a report under this subsection paragraph, the filing officer
25 shall, within 24 hours of receipt, mail a copy of the report to all candidates for any

1 office in support of or opposition to one of whom a disbursement identified in the
2 report is made.

3 **SECTION 19.** 11.12 (6) (b) to (e) of the statutes are created to read:

4 11.12 (6) (b) 1. If any conduit has accepted or intends to accept any contribution
5 to be transferred to a candidate or personal campaign committee of a candidate for
6 a state office specified in s. 11.31 (1) (a) to (f) at the general or a special election, or
7 to any such candidate who seeks a nomination for such an office at a primary election,
8 the conduit shall report to the board at the times specified in s. 11.20 (2s), in such
9 manner as the board may prescribe, the name of each candidate or personal
10 campaign committee to whom the conduit intends to transfer one or more
11 contributions during the 21-day period following the date on which the report is due
12 to be filed and the amount to be transferred to that candidate or committee.

13 2. A conduit who or which is required to file reports under this paragraph shall
14 also report to the board, at the times specified in s. 11.20 (2t), in such manner as the
15 board may prescribe, the name of each candidate or personal campaign committee
16 to whom the conduit transferred one or more contributions during the 21-day period
17 ending on each date specified in s. 11.20 (2t) and the date and amount of that transfer.

18 (c) 1. If any committee identified under s. 11.05 (3) (c), other than a conduit,
19 intends to receive any contribution, make any disbursement or incur any obligation
20 to make a disbursement for the purpose of advocating the election or defeat of a
21 clearly identified candidate for a state office specified in s. 11.31 (1) (a) to (f) at the
22 general or a special election, or any such candidate who seeks a nomination for such
23 an office at a primary election, without cooperation or consultation with a candidate
24 or agent or authorized committee of a candidate who is supported or whose opponent
25 is opposed, and not in concert with or at the request or suggestion of such a candidate,

1 agent or committee, the committee shall report to the board at the times specified in
2 s. 11.20 (2s), in such manner as the board may prescribe, the name of each candidate
3 who is supported or whose opponent is opposed and the total amount of contributions
4 to be received, disbursements to be made and obligations to be incurred for such a
5 purpose in support or opposition to that candidate during the 21-day period
6 following the date on which the report is due to be filed.

7 2. A committee which is required to file reports under this paragraph shall also
8 report to the board, at the times specified in s. 11.20 (2t), in such manner as the board
9 may prescribe, the amount and date of each contribution received, disbursement
10 made or obligation incurred for the purpose of advocating the election or defeat of a
11 candidate specified in this paragraph in the manner specified in this paragraph, and
12 the name of the candidate in support of or in opposition to whom the contribution was
13 received, disbursement made or obligation incurred, during the 21-day period
14 ending on each date specified in s. 11.20 (2t).

15 3. A committee which files a report under this paragraph concerning a
16 disbursement is not required to file a report pertaining to the same disbursement
17 under par. (a).

18 (d) All information reported by a registrant under this subsection shall also be
19 included in the next regular report of the registrant under s. 11.20.

20 (e) 1. If any committee identified in s. 11.05 (3) (c), other than a conduit, intends
21 to make one or more contributions to a candidate for a state office specified in s. 11.31
22 (1) (a) to (f) at the general or a special election, or to any such candidate who seeks
23 a nomination for such an office at a primary election, or to the personal campaign
24 committee of any such candidate, the committee shall report to the board at the times
25 specified in s. 11.20 (2s), in such manner as the board may prescribe, the name of each

1 candidate or personal campaign committee to whom the committee intends to make
2 one or more contributions during the 21-day period following the date on which the
3 report is due to be filed and the amount or value of the contributions to be made to
4 that candidate or committee.

5 2. A committee who or which is required to file reports under this paragraph
6 shall also report to the board, at the times specified in s. 11.20 (2t), in such manner
7 as the board may prescribe, the name of each candidate or personal campaign
8 committee to whom the committee made one or more contributions during the
9 21-day period ending on each date specified in s. 11.20 (2t) and the date and amount
10 or value of that contribution.

11 **SECTION 20.** 11.12 (7) of the statutes is created to read:

12 11.12 (7) (a) Except as provided in par. (c), if a candidate at the general or a
13 special election for a state office specified in s. 11.31 (1) (a) to (f) does not accept a
14 grant under s. 11.50, that candidate or the candidate's personal campaign committee
15 shall report to the board the information specified in s. 11.06 (1) pertaining to all
16 contributions received no later than 24 hours after receipt of any contribution, in
17 such manner as the board may prescribe, if the candidate or personal campaign
18 committee receives, during the campaign of that candidate, as defined in s. 11.26
19 (17), or if the candidate has an opponent whose name is certified to appear on the
20 ballot as a candidate for the party nomination of his or her party in a primary election
21 in that campaign, during the period beginning on the day after the date of the
22 primary election and ending on the date of the election, total contributions that equal
23 more than the following amount or value, as adjusted under par. (d):

24 1. For candidates for the offices of governor and lieutenant governor jointly,
25 \$330,000 from all political party committees or \$1,670,000 from all individuals.

1 2. For a candidate for the office of attorney general, \$65,000 from all political
2 party committees or \$335,000 from all individuals.

3 3. For a candidate for the office of secretary of state or state treasurer, \$33,000
4 from all political party committees or \$167,000 from all individuals.

5 4. For a candidate for the office of justice or state superintendent, \$167,000
6 from all individuals.

7 5. For a candidate for the office of state senator, \$20,000 from all political party
8 committees or \$100,000 from all individuals.

9 6. For a candidate for the office of representative to the assembly, \$10,000 from
10 all political party committees or \$50,000 from all individuals.

11 (b) The first report filed by a candidate or personal campaign committee under
12 par. (a) during any campaign shall include the information required under par. (a)
13 for all contributions received since the closing date for the preceding report filed by
14 that candidate or committee as provided in s. 11.20 (8).

15 (c) For purposes of computing the applicable amount under par. (a), if one of the
16 candidates of a political party for the office of governor or lieutenant governor has
17 an opponent whose name is certified to appear on the ballot as a candidate for the
18 party nomination of his or her party in the September primary election, the
19 contributions received on or before the date of the primary election by the candidate
20 who has an opponent in that election shall be excluded.

21 (d) 1. In this paragraph, “consumer price index” means the average of the
22 consumer price index over each 12-month period, all items, U.S. city average, as
23 determined by the bureau of labor statistics of the federal department of labor.

24 2. The dollar amounts of the total contributions under par. (a) shall be subject
25 to a biennial adjustment to be determined by rule of the board in accordance with this

1 subdivision. To determine the adjustment, the board shall calculate the percentage
2 difference between the consumer price index for the 12-month period ending on
3 December 31 of each odd-numbered year and the consumer price index for the base
4 period, calendar year 2001. For each biennium, the board shall multiply the amount
5 of each contribution amount under par. (a) by the percentage difference in the
6 consumer price indices. The board shall adjust each amount to substitute that result
7 for the existing amount to the extent required to reflect any difference, rounded to
8 the nearest multiple of \$25. The amount so determined shall then be in effect until
9 a subsequent rule is promulgated under this subdivision. Notwithstanding s. 227.24
10 (1) (a), (2) (b) and (3), determinations under this subdivision may be promulgated as
11 an emergency rule under s. 227.24 without providing evidence that the emergency
12 rule is necessary for the public peace, health, safety or welfare and without a finding
13 of emergency.

14 **SECTION 21.** 11.16 (5) of the statutes is amended to read:

15 11.16 (5) ESCROW AGREEMENTS. Any personal campaign committee, or political
16 party committee ~~or legislative campaign committee~~ may, pursuant to a written
17 escrow agreement with more than one candidate, solicit contributions for and
18 conduct a joint fund raising effort or program on behalf of more than one named
19 candidate. The agreement shall specify the percentage of the proceeds to be
20 distributed to each candidate by the committee conducting the effort or program.
21 The committee shall include this information in all solicitations for the effort or
22 program. All contributions received and disbursements made by the committee in
23 connection with the effort or program shall be received and disbursed through a
24 separate depository account under s. 11.14 (1) that is identified in the agreement.
25 For purposes of s. 11.06 (1), the committee conducting the effort or program shall

1 prepare a schedule in the form prescribed by the board supplying all required
2 information under s. 11.06 (1) and items qualifying for exclusion under s. 11.31 (6)
3 for the effort or program, and shall transmit a copy of the schedule to each candidate
4 who receives any of the proceeds within the period prescribed in s. 11.06 (4) (c).

5 **SECTION 22.** 11.20 (2e) of the statutes is created to read:

6 11.20 (2e) Postelection reports under s. 11.06 (1) with respect to an election for
7 a state office specified in s. 11.31 (1) (a) to (f) shall be received by the board no earlier
8 than 4 days after and no later than 10 days after each general election at which that
9 office is filled.

10 **SECTION 23.** 11.20 (2m) of the statutes is amended to read:

11 11.20 (2m) Election reports under s. 11.12 with respect to a special election for
12 an office specified in s. 11.31 (1) (a) to (f) shall be received by the board no earlier than
13 4 days and no later than 10 days after that election. Election reports under s. 11.12
14 with respect to any other special election shall be received by the appropriate filing
15 officer no earlier than 23 days and no later than 30 days after each that special
16 election, unless a continuing report is required to be filed under sub. (4) on or before
17 the 30th day after the special election.

18 **SECTION 24.** 11.20 (2s) of the statutes is created to read:

19 11.20 (2s) A registrant who or which is required to file reports under s. 11.12
20 (6) (b) 1., (c) 1. or (e) 1. with respect to a candidate at the general election shall file
21 the reports on the 63rd, 42nd and 21st day prior to that election. A registrant who
22 is required to file reports under s. 11.12 (6) (b) 1., (c) 1. or (e) 1. with respect to a special
23 election shall file a report on the 21st day prior to that election.

24 **SECTION 25.** 11.20 (2t) of the statutes is created to read:

1 11.20 (2t) A registrant who or which is required to file reports under s. 11.12
2 (6) (b) 2., (c) 2. or (e) 2. with respect to a candidate at the general election shall file
3 the reports no later than the 39th and 18th days prior to that election. A registrant
4 who or which is required to file reports under s. 11.12 (6) (b) 2., (c) 2. or (e) 2. with
5 respect to a candidate at a special election shall file the reports no later than the 18th
6 day prior to that election.

7 **SECTION 26.** 11.20 (3) (d) of the statutes is amended to read:

8 11.20 (3) (d) A registered committee or individual other than a candidate or
9 personal campaign committee making or accepting contributions, making
10 disbursements or incurring obligations in support of or in opposition to one or more
11 candidates for office at an election, or supporting or opposing other committees or
12 individuals who are engaging in such activities, shall file a preelection report. A
13 registered committee or individual other than a candidate or personal campaign
14 committee making or accepting contributions, making disbursements or incurring
15 obligations in support of or in opposition to one or more candidates for an office
16 specified in s. 11.31 (1) (a) to (f) at the general election or a special election, or
17 supporting or opposing other committees or individuals who are engaging in such
18 activities, shall file a postelection report.

19 **SECTION 27.** 11.20 (3) (g) of the statutes is amended to read:

20 11.20 (3) (g) A contribution, disbursement or obligation in support of or in
21 opposition to a candidate at an election which is made, accepted or incurred during
22 the period covered by the preelection report, or by a postelection report following the
23 general election or a special election, is considered to be made, accepted or incurred
24 in support of or in opposition to that candidate at the election, regardless of whether
25 the candidate is opposed at the election.

1 **SECTION 28.** 11.20 (8) (intro.) of the statutes is amended to read:

2 11.20 (8) (intro.) Reports filed under subs. (2), (2e), (2m), (2s), (2t), (4) and (4m)
3 shall include all contributions received and transactions made as of the end of:

4 **SECTION 29.** 11.20 (8) (ak) and (aL) of the statutes are created to read:

5 11.20 (8) (ak) The day on which the report is due in the case of the report
6 required under s. 11.12 (6) (b) 1., (c) 1. or (e) 1.

7 (aL) The 3rd day prior to the date on which the report is due in the case of the
8 report required under s. 11.12 (6) (b) 2., (c) 2. or (e) 2.

9 **SECTION 30.** 11.20 (8) (am) of the statutes is created to read:

10 11.20 (8) (am) The 3rd day after the election in the case of the postelection
11 report that follows the general election or a special election for an office specified in
12 s. 11.31 (1) (a) to (f).

13 **SECTION 31.** 11.20 (8) (an) of the statutes is created to read:

14 11.20 (8) (an) The 22nd day after the election in the case of a postelection report
15 that follows a special election for an office other than an office specified in s. 11.31
16 (1) (a) to (f).

17 **SECTION 32.** 11.20 (12) of the statutes is amended to read:

18 11.20 (12) If a candidate is unopposed in a primary or election, the obligation
19 to file the reports required by this chapter does not cease. Except as provided in ss.
20 11.05 (2r) and 11.19 (2), a registrant who makes or receives no contributions, makes
21 no disbursements or incurs no obligations shall so report on the applicable dates
22 designated in subs. (2), (2e), (2m), (2t) and (4).

23 **SECTION 33.** 11.21 (15) of the statutes is amended to read:

24 11.21 (15) Inform each candidate who files an application to become eligible to
25 receive a grant from the ~~Wisconsin election campaign~~ clean government fund of the

1 dollar amount of the applicable disbursement limitation under s. 11.31 (1), adjusted
2 as provided in s. 11.31 (9), which applies to the office for which such person is a
3 candidate. Failure to receive the notice required by this subsection does not
4 constitute a defense to a violation of s. 11.27 (1) or 11.31.

5 **SECTION 34.** 11.24 (1t) of the statutes is created to read:

6 11.24 (1t) No candidate for a state office specified in s. 11.31 (1) (a) to (f) or
7 personal campaign committee of such a candidate at any election other than a
8 primary election may receive and accept any contribution during the period
9 beginning on the 10th day preceding that election and ending on the date of that
10 election.

11 **SECTION 35.** 11.24 (1w) of the statutes is created to read:

12 11.24 (1w) (a) No candidate or personal campaign committee of a candidate
13 who accepts a grant under s. 11.50 may accept any contribution from a committee
14 identified under s. 11.05 (3) (c) as a special interest committee.

15 (b) No committee identified under s. 11.05 (3) (c) as a special interest committee
16 may intentionally make any contribution to a candidate or personal campaign
17 committee of a candidate who has qualified to receive a grant under s. 11.50.

18 **SECTION 36.** 11.26 (1) (intro.) of the statutes is amended to read:

19 11.26 (1) (intro.) No Except as authorized in sub. (10), no individual may make
20 any contribution or contributions to a candidate for election or nomination to any of
21 the following offices and to any individual or committee under s. 11.06 (7) acting
22 solely in support of such a candidate or solely in opposition to the candidate's
23 opponent to the extent of more than a total of the amounts specified per candidate:

24 **SECTION 37.** 11.26 (1) (a), (b) and (c) of the statutes are amended to read:

1 11.26 (1) (a) Candidates for governor, lieutenant governor, secretary of state,
2 state treasurer, attorney general, state superintendent or justice, ~~\$10,000~~ \$1,000.

3 (b) Candidates for state senator, ~~\$1,000~~ \$500.

4 (c) Candidates for representative to the assembly, ~~\$500~~ \$250.

5 **SECTION 38.** 11.26 (1m) of the statutes is created to read:

6 11.26 (1m) (a) Except as provided in par. (b), no individual who is a candidate
7 for state office and who files a sworn statement and application to receive a grant
8 from the clean government fund may receive and accept more than the amount or
9 value of contributions provided in this subsection for the office for which he or she
10 is a candidate during any campaign, or if the individual has an opponent whose name
11 is certified to appear on the ballot as a candidate for the nomination of his or her party
12 in a primary election in that campaign, after the date of the primary election, from
13 all individuals, including contributions from the individual to his or her own
14 campaign. Except as provided in sub. (10a), the amount or value is:

15 1. For candidates for the offices of governor and lieutenant governor jointly,
16 \$1,000,000.

17 2. For a candidate for the office of attorney general, \$200,000.

18 3. For a candidate for the office of secretary of state, state treasurer, state
19 superintendent or justice, \$100,000.

20 4. For a candidate for the office of state senator, \$60,000.

21 5. For a candidate for the office of representative to the assembly, \$30,000.

22 (b) For purposes of computing the applicable amount under par. (a), if one of
23 the candidates of a political party for the office of governor or lieutenant governor has
24 an opponent whose name is certified to appear on the ballot as a candidate for the
25 party nomination of his or her party in the September primary election, the

1 contributions received on or before the date of the primary election by the candidate
2 who has an opponent in the election shall be excluded.

3 **SECTION 39.** 11.26 (2) (intro.) of the statutes is amended to read:

4 11.26 (2) (intro.) No committee other than a political party committee or
5 legislative campaign committee may make any contribution or contributions to a
6 candidate for election or nomination to any of the following offices and to any
7 individual or committee under s. 11.06 (7) acting solely in support of such a candidate
8 or solely in opposition to the candidate's opponent to the extent of more than a total
9 of the amounts specified per candidate:

10 **SECTION 40.** 11.26 (2) (a) of the statutes is amended to read:

11 11.26 (2) (a) Candidates for governor, lieutenant governor, secretary of state,
12 state treasurer, attorney general, state superintendent or justice, 4% of the value of
13 the disbursement level specified in the schedule under s. 11.31 (1), as adjusted under
14 s. 11.31 (9).

15 **SECTION 41.** 11.26 (4) of the statutes is amended to read:

16 11.26 (4) No individual may make any contribution or contributions to all
17 candidates for state and local offices and to any individuals who or committees which
18 are subject to a registration requirement under s. 11.05, including legislative
19 ~~campaign committees and committees of a political party~~, to the extent of more than
20 a total of \$10,000 in any calendar year.

21 **SECTION 42.** 11.26 (8) of the statutes is amended to read:

22 11.26 (8) (a) No political party as defined in s. 5.02 (13) may receive more than
23 a total of \$150,000 in value of its contributions in any biennium from all other
24 committees, excluding contributions from legislative campaign committees and
25 transfers between party committees of the party. In this paragraph, a biennium

1 commences with January 1 of each odd-numbered year and ends with December 31
2 of each even-numbered year.

3 (b) No such political party may receive more than a total of \$6,000 in value of
4 its contributions in any calendar year from any specific committee or its subunits or
5 affiliates, excluding legislative campaign and political party committees.

6 (c) No committee, other than a political party or legislative campaign
7 committee, may make any contribution or contributions, directly or indirectly, to a
8 political party under s. 5.02 (13) in a calendar year exceeding a total value of \$6,000.

9 **SECTION 43.** 11.26 (9) (a) of the statutes is renumbered 11.26 (9) (a) (intro.) and
10 amended to read:

11 11.26 (9) (a) (intro.) ~~No~~ Except as provided in par. (aa), no individual who is a
12 candidate for state or local office and who files a sworn statement and application to
13 receive a grant from the clean government fund may receive and accept more than
14 ~~65% of the value of the total disbursement level determined under s. 11.31~~ the
15 amount or value of contributions provided in this subsection for the office for which
16 he or she is a candidate during any ~~primary and election~~ campaign combined, or if
17 the individual has an opponent whose name is certified to appear on the ballot as a
18 candidate for the nomination of his or her party at a primary election, after the date
19 of the primary election in that campaign, from all committees subject to a filing
20 requirement, including political party and legislative campaign committees. Except
21 as provided in sub. (10a), the amount or value of contributions is:

22 **SECTION 44.** 11.26 (9) (a) 1. to 5. of the statutes are created to read:

23 11.26 (9) (a) 1. For candidates for the offices of governor and lieutenant
24 governor jointly, \$330,000.

25 2. For a candidate for the office of attorney general, \$65,000.

1 3. For a candidate for the office of secretary of state, state treasurer, justice or
2 state superintendent, \$33,000.

3 4. For a candidate for the office of state senator, \$20,000.

4 5. For a candidate for the office of representative to the assembly, \$10,000.

5 **SECTION 45.** 11.26 (9) (aa) of the statutes is created to read:

6 11.26 (9) (aa) For purposes of computing the applicable amount under par. (a),
7 if one of the candidates of a political party for the office of governor or lieutenant
8 governor has an opponent whose name is certified to appear on the ballot as a
9 candidate for the party nomination of his or her party in the September primary
10 election, the contributions received on or before the date of the primary election by
11 the candidate who has the opponent in that election shall be excluded.

12 **SECTION 46.** 11.26 (9) (am) of the statutes is created to read:

13 11.26 (9) (am) No individual who is a candidate for state or local office, other
14 than an office specified in par. (a), may receive and accept more than 65% of the value
15 of the total disbursement level determined under s. 11.31 (1), as adjusted under s.
16 11.31 (9), for the office for which he or she is a candidate during any primary and
17 election campaign combined from all committees subject to a filing requirement,
18 including political party committees.

19 **SECTION 47.** 11.26 (9) (b) of the statutes is amended to read:

20 11.26 (9) (b) No individual who is a candidate for a state or local office, other
21 than an office specified in par. (a), may receive and accept more than 45% of the value
22 of the total disbursement level determined under s. 11.31 (1), as adjusted under s.
23 11.31 (9), for the office for which he or she is a candidate during any primary and
24 election campaign combined from all committees other than political party and
25 ~~legislative campaign~~ committees subject to a filing requirement.

1 **SECTION 48.** 11.26 (9) (c) of the statutes is repealed.

2 **SECTION 49.** 11.26 (10) of the statutes is renumbered 11.26 (10) (a) and
3 amended to read:

4 11.26 (10) (a) ~~No~~ Except as provided in par. (b) and sub. (10a), no candidate for
5 state office who files a sworn statement and application to receive a grant from the
6 ~~Wisconsin election campaign~~ clean government fund may make contributions of
7 more than 200% of the ~~amounts~~ amount or value of the limitation specified in sub.
8 (1) to the candidate's own campaign from the candidate's personal funds or property
9 or the personal funds or property which are owned jointly or as marital property with
10 the candidate's spouse, unless the board determines that the candidate is not eligible
11 to receive a grant, or the candidate withdraws his or her application under s. 11.50
12 (2) (h), ~~or s. 11.50 (2) (i)~~ applies. The limitation prescribed in this subsection applies
13 during any campaign, or if a candidate has an opponent whose name is certified to
14 appear on the ballot as a candidate for the nomination of his or her party at a primary
15 election, after the date of the primary election in that campaign. For purposes of this
16 subsection, any contribution received by a candidate or his or her personal campaign
17 committee from a committee which is registered with the federal elections
18 commission as the authorized committee of the candidate under 2 USC 432 (e) shall
19 be treated as a contribution made by the candidate to his or her own campaign. The
20 contribution limit of sub. (4) applies to amounts contributed by such a candidate
21 personally to the candidate's own campaign and to other campaigns, except that a
22 candidate may exceed the limitation if authorized under this subsection to contribute
23 more than the amount specified to the candidate's own campaign, up to the amount
24 of the limitation.

25 **SECTION 50.** 11.26 (10) (b) of the statutes is created to read:

1 11.26 (10) (b) For purposes of computing the applicable amount under par. (a),
2 if one of the candidates of a political party for the office of governor or lieutenant
3 governor has an opponent whose name is certified to appear on the ballot as a
4 candidate for the party nomination of his or her party in the September primary
5 election, the contributions received on or before the date of the primary election by
6 the candidate who has an opponent in that election shall be excluded.

7 **SECTION 51.** 11.26 (10a) of the statutes is created to read:

8 11.26 (10a) (a) In this subsection, “consumer price index” means the average
9 of the consumer price index over each 12-month period, all items, U.S. city average,
10 as determined by the bureau of labor statistics of the federal department of labor.

11 (b) The dollar amounts of the limitations under sub. (1m), (9) (a) and (10) (a)
12 shall be subject to a biennial adjustment to be determined by rule of the board in
13 accordance with this subsection. To determine the adjustment, the board shall
14 calculate the percentage difference between the consumer price index for the
15 12-month period ending on December 31 of each odd-numbered year and the
16 consumer price index for the base period, calendar year 2001. For each biennium,
17 the board shall multiply the amount of each limitation under sub. (1m), (9) (a) and
18 (10) by the percentage difference in the consumer price indices. The board shall
19 adjust the amount of each limitation to substitute that result for the existing amount
20 to the extent required to reflect any difference, rounded to the nearest multiple of
21 \$25. The amount so determined shall then be in effect until a subsequent rule is
22 promulgated under this subsection. Notwithstanding s. 227.24 (1) (a), (2) (b) and (3),
23 determinations under this subsection may be promulgated as an emergency rule
24 under s. 227.24 without providing evidence that the emergency rule is necessary for
25 the public peace, health, safety or welfare and without a finding of emergency.

1 **SECTION 52.** 11.26 (13) of the statutes is amended to read:

2 11.26 (13) ~~Except as provided in sub. (9), contributions~~ Contributions received
3 from the ~~Wisconsin election campaign~~ clean government fund are not subject to
4 limitation by this section.

5 **SECTION 53.** 11.26 (17) (a) of the statutes is amended to read:

6 11.26 (17) (a) For purposes of application of the limitations imposed in subs.
7 (1), (1m), (2), (9) and (10), the “campaign” of a candidate begins and ends at the times
8 specified in this subsection, except as otherwise provided in subs. (1m), (9) and (10).

9 **SECTION 54.** 11.265 of the statutes is repealed.

10 **SECTION 55.** 11.31 (1) (a) of the statutes is amended to read:

11 11.31 (1) (a) Candidates for governor, ~~\$1,078,200~~ and lieutenant governor
12 jointly, \$2,000,000.

13 **SECTION 56.** 11.31 (1) (b) of the statutes is repealed.

14 **SECTION 57.** 11.31 (1) (c) and (d) of the statutes are amended to read:

15 11.31 (1) (c) Candidates for attorney general, ~~\$539,000~~ \$400,000.

16 (d) Candidates for secretary of state, state treasurer, justice or state
17 superintendent, ~~\$215,625~~ \$200,000.

18 **SECTION 58.** 11.31 (1) (e) and (f) of the statutes are amended to read:

19 11.31 (1) (e) Candidates for state senator, ~~\$34,500 total in the primary and~~
20 ~~election, with disbursements not exceeding \$21,575 for either the primary or the~~
21 ~~election~~ \$120,000.

22 (f) Candidates for representative to the assembly, ~~\$17,250 total in the primary~~
23 ~~and election, with disbursements not exceeding \$10,775 for either the primary or the~~
24 ~~election~~ \$60,000.

25 **SECTION 59.** 11.31 (2) of the statutes is amended to read:

1 11.31 (2) LIMITATION IMPOSED. No candidate for state office at a spring or general
2 election who files a sworn statement and application to receive a grant from the
3 ~~Wisconsin election campaign~~ clean government fund may make or authorize total
4 disbursements from the his or her campaign treasury in any campaign to the extent
5 of more than the amount prescribed in sub. (1), adjusted as provided under sub. (9),
6 unless the board determines that the candidate is not eligible to receive a grant, the
7 candidate withdraws his or her application under s. 11.50 (2) (h), or s. ~~11.50 (2) (i)~~ sub.
8 (3p) applies. No candidate for state office at a special election who files a sworn
9 statement and application to receive a grant from the ~~Wisconsin election campaign~~
10 clean government fund may make or authorize total disbursements from the his or
11 her campaign treasury in any campaign to the extent of more than the amount
12 prescribed under sub. (1), adjusted as provided under sub. (9), for the preceding
13 spring or general election for the same office, unless the board determines that the
14 candidate is not eligible to receive a grant, the candidate withdraws his or her
15 application under s. 11.50 (2) (h), or s. ~~11.50 (2) (i)~~ sub. (3p) applies.

16 **SECTION 60.** 11.31 (2m) of the statutes is repealed.

17 **SECTION 61.** 11.31 (3) of the statutes is repealed.

18 **SECTION 62.** 11.31 (3m) of the statutes is repealed.

19 **SECTION 63.** 11.31 (3p) of the statutes is created to read:

20 11.31 (3p) CANDIDATES RECEIVING ADDITIONAL GRANTS; EXCEPTION. If a candidate
21 receives a grant under s. 11.50 (9) (b), (ba), (bb) or (bc), the disbursement limitation
22 of that candidate for the campaign in which the grant is received is increased by the
23 amount of that grant.

24 **SECTION 64.** 11.31 (4) of the statutes is repealed.

25 **SECTION 65.** 11.31 (7) (a) of the statutes is amended to read:

1 11.31 (7) (a) For purposes of this section, except as provided in par. (e), the
2 “campaign” of a candidate extends from July 1 preceding the date on which the spring
3 primary or election occurs or January 1 preceding the date on which the September
4 primary or general election occurs for the office which the candidate seeks, or from
5 the date of the candidate’s public announcement, whichever is earlier, through the
6 last day of the month following the month in which the election ~~or primary~~ is held
7 for the office which the candidate seeks, except that if a candidate for an office
8 specified in s. 11.31 (1) (a) to (f) has an opponent whose name is certified to appear
9 on the ballot as a candidate for the nomination of his or her party at a primary
10 election, the campaign of that candidate extends from the day after the date of the
11 primary election through the last day of the month following the month in which the
12 election is held for the office which the candidate seeks.

13 **SECTION 66.** 11.31 (7) (e) of the statutes is created to read:

14 11.31 (7) (e) For purposes of computing the applicable amount under par. (a),
15 if one of the candidates of a political party for the office of governor or lieutenant
16 governor has an opponent whose name is certified to appear on the ballot as a
17 candidate for the party nomination of his or her party in the September primary
18 election, the disbursements made or obligated to be made on or before the date of the
19 primary election by the candidate who has an opponent shall be excluded.

20 **SECTION 67.** 11.31 (9) of the statutes is created to read:

21 11.31 (9) ADJUSTMENT OF DISBURSEMENT LEVELS. (a) In this subsection,
22 “consumer price index” means the average of the consumer price index over each
23 12-month period, all items, U.S. city average, as determined by the bureau of labor
24 statistics of the federal department of labor.

1 (b) The dollar amounts of all disbursement levels specified in sub. (1) shall be
2 subject to a biennial adjustment to be determined by rule of the board in accordance
3 with this subsection. To determine the adjustment, the board shall calculate the
4 percentage difference between the consumer price index for the 12-month period
5 ending on December 31 of each odd-numbered year and the consumer price index for
6 the base period, calendar year 2001. For each biennium, the board shall multiply
7 that result by the percentage difference in the consumer price indices. The board
8 shall adjust the disbursement levels specified under sub. (1) to substitute that result
9 for the existing levels to the extent required to reflect any difference, rounded to the
10 nearest multiple of \$25 in the case of amounts of \$1 or more, which amounts shall
11 be in effect until a subsequent rule is promulgated under this subsection.
12 Notwithstanding s. 227.24 (1) (a), (2) (b) and (3), determinations under this
13 subsection may be promulgated as an emergency rule under s. 227.24 without
14 providing evidence that the emergency rule is necessary for the public peace, health,
15 safety or welfare, and without a finding of emergency.

16 **SECTION 68.** 11.50 (title) of the statutes is amended to read:

17 **11.50** (title) ~~Wisconsin election campaign~~ **Clean government fund.**

18 **SECTION 69.** 11.50 (1) (b) of the statutes is amended to read:

19 11.50 (1) (b) "Fund" means the ~~Wisconsin election campaign~~ **clean government**
20 fund.

21 **SECTION 70.** 11.50 (2) (a) of the statutes is amended to read:

22 11.50 (2) (a) Any individual who desires to qualify as an eligible candidate may
23 file an application with the board requesting approval to participate in the fund. The
24 application shall be filed no later than the applicable deadline for filing nomination
25 papers under s. 8.10 (2) (a), 8.15 (1), 8.20 (8) (a) or 8.50 (3) (a), no later than 4:30 p.m.

1 on the 7th day after the primary or date on which the primary would be held if
2 required in the case of write-in candidates, or no later than 4:30 p.m. on the 7th day
3 after appointment in the case of candidates appointed to fill vacancies. The
4 application shall contain a sworn statement that the candidate and his or her
5 authorized agents have complied with the contribution limitations prescribed in s.
6 11.26 and the disbursement limitations prescribed under s. 11.31 (1), as adjusted
7 under s. 11.31 (9), at all times to which such limitations have applied to his or her
8 candidacy and will continue to comply with the limitations at all times to which the
9 limitations apply to his or her candidacy for the office in contest, unless the board
10 determines that the candidate is not eligible to receive a grant, the candidate
11 withdraws his or her application under par. (h), or ~~par. (i)~~ s. 11.31 (3p) applies.

12 **SECTION 71.** 11.50 (2) (b) (intro.) of the statutes is amended to read:

13 11.50 (2) (b) (intro.) ~~The Except as provided in par. (bm)~~, the board shall
14 approve the application of an eligible candidate for participation if:

15 **SECTION 72.** 11.50 (2) (b) 5. of the statutes is renumbered 11.50 (2) (b) 5. (intro.)
16 and amended to read:

17 11.50 (2) (b) 5. (intro.) The financial reports filed by or on behalf of the
18 candidate as of the date of the spring or September primary, or the date that the
19 special primary is or would be held, if required, indicate that the candidate has
20 received at least the amount provided in this subdivision, from contributions of
21 money, other than loans, made by individuals who are residents of this state, other
22 than contributions received through conduits, which have been received during the
23 period ending on the date of the spring primary and July 1 preceding such date in
24 the case of candidates at the spring election, or the date of the September primary
25 and January 1 preceding such date in the case of candidates at the general election,

1 or the date that a special primary will or would be held, if required, and 90 days
2 preceding such date or the date a special election is ordered, whichever is earlier, in
3 the case of special election candidates, which contributions are in the aggregate
4 amount of \$100 or less, and which are fully identified and itemized as to the exact
5 source thereof. ~~A contribution received from a conduit which is identified by the
6 conduit as originating from an individual shall be considered a contribution made by
7 the individual.~~ In the case of a candidate for legislative office, the contributions may
8 only be received from individuals who are residents of the district in which the
9 candidate seeks office. Only the first \$100 of an aggregate contribution of more than
10 \$100 may be counted toward the required percentage. ~~For a candidate at the spring
11 or general election for an office identified in s. 11.26 (1) (a) or a candidate at a special
12 election, the required amount to qualify for a grant is 5% of the candidate's
13 authorized disbursement limitation under s. 11.31. For any other candidate at the
14 general election, the required amount to qualify for a grant is 10% of the candidate's
15 authorized disbursement limitation under s. 11.31. Except as provided in sub. (9a),
16 the amount of contributions required under this subdivision is:~~

17 **SECTION 73.** 11.50 (2) (b) 5. a. to e. of the statutes are created to read:

18 11.50 (2) (b) 5. a. For candidates for the offices of governor and lieutenant
19 governor jointly, \$80,400.

20 b. For a candidate for the office of attorney general, \$16,200.

21 c. For a candidate for the office of secretary of state, state treasurer, justice or
22 state superintendent, \$8,040.

23 d. For a candidate for the office of state senator, \$5,000.

24 e. For a candidate for the office of representative to the assembly, \$2,500.

25 **SECTION 74.** 11.50 (2) (bm) of the statutes is created to read:

1 11.50 (2) (bm) The board shall not approve the application of an eligible
2 candidate for the office of governor or lieutenant governor of the same political party
3 unless both candidates qualify to receive a grant under this subsection.

4 **SECTION 75.** 11.50 (2) (g) of the statutes is amended to read:

5 11.50 (2) (g) A candidate who voluntarily files an application to receive a grant
6 in accordance with this subsection accepts and agrees to comply with the
7 contribution limitations prescribed in s. 11.26 and the disbursement limitations
8 imposed under s. 11.31 (2), as adjusted under s. 11.31 (9) as binding upon himself or
9 herself and his or her agents during the campaign as defined in s. 11.31 (7), as a
10 precondition to receipt of a grant under this section, unless the board determines
11 that the candidate is not eligible to receive a grant, the candidate withdraws the
12 application under par. (h), or ~~par. (i)~~ s. 11.31 (3p) applies.

13 **SECTION 76.** 11.50 (2) (i) of the statutes is repealed.

14 **SECTION 77.** 11.50 (3) of the statutes is repealed.

15 **SECTION 78.** 11.50 (4) of the statutes is repealed and recreated to read:

16 11.50 (4) AMOUNT OF GRANTS. Except as provided in sub. (9) (b), (ba), (bb) and
17 (bc), each eligible candidate for the same office who qualifies for grant under this
18 section shall receive an equal amount.

19 **SECTION 79.** 11.50 (5) of the statutes is amended to read:

20 11.50 (5) TIME OF DISBURSEMENT. The state treasurer shall make the
21 disbursements to the campaign depository account of each eligible candidate under
22 ~~subs. (3) and (4)~~ by the end of the 3rd business day following notice from the board
23 under s. 7.08 (2) (c) or (cm). ~~Eligible candidates for governor and lieutenant governor~~
24 ~~of the same political party may combine accounts if desired, except that the state~~
25 treasurer shall make disbursements for eligible candidates for the office of governor

1 and lieutenant governor jointly to the campaign depository account of the candidate
2 for governor.

3 **SECTION 80.** 11.50 (6) of the statutes is repealed.

4 **SECTION 81.** 11.50 (9) (title) of the statutes is amended to read:

5 11.50 (9) (title) ~~LIMITATION ON~~ AMOUNT OF GRANTS.

6 **SECTION 82.** 11.50 (9) of the statutes is renumbered 11.50 (9) (a) (intro.) and
7 amended to read:

8 11.50 (9) (a) (intro.) ~~The Except as provided in pars. (b), (ba), (bb) and (bc) and~~
9 ~~sub. (9a), the total grant available to an eligible candidate may not exceed that~~
10 ~~amount which, when added to all other contributions accepted from sources other~~
11 ~~than individuals, political party committees and legislative campaign committees,~~
12 ~~is equal to 45% of the disbursement level specified for the applicable office under s.~~
13 ~~11.31. The board shall scrutinize accounts and reports and records kept under this~~
14 ~~chapter to assure that applicable limitations under ss. 11.26 (9) and 11.31 are not~~
15 ~~exceeded and any violation is reported. is:~~

16 (am) No candidate or campaign treasurer may accept grants exceeding the
17 amount authorized by this subsection.

18 **SECTION 83.** 11.50 (9) (a) 1. to 5. of the statutes are created to read:

19 11.50 (9) (a) 1. For candidates for the office of governor and lieutenant governor
20 jointly, \$670,000.

21 2. For a candidate for the office of attorney general, \$135,000.

22 3. For a candidate for the office of secretary of state, state treasurer,
23 superintendent or justice, \$67,000.

24 4. For a candidate for the office of state senator, \$40,000.

25 5. For a candidate for the office of representative to the assembly, \$20,000.

1 **SECTION 84.** 11.50 (9) (b) of the statutes is created to read:

2 11.50 (9) (b) If an eligible candidate who accepts a grant is opposed by one or
3 more candidates in a general or special election whose names are certified under s.
4 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot, and if a committee intends to receive
5 or receives any contribution or contributions that are intended to be used or that are
6 used to oppose the election of the eligible candidate who accepts a grant or to support
7 a certified opponent of that candidate without cooperation or consultation with any
8 certified opposing candidate or such a candidate’s agent or authorized committee,
9 and not in concert with, or at the request or suggestion of any certified opposing
10 candidate’s agent or authorized committee, then the board shall make an additional
11 grant to the eligible candidate who accepts a grant in an amount equal to the total
12 amount of contributions received for the purpose of advocating the election of the
13 certified opposing candidate or for the purpose of opposing the election of the eligible
14 candidate who accepts the grant, as reported by committees under s. 11.12 (6) (c).

15 **SECTION 85.** 11.50 (9) (ba) of the statutes is created to read:

16 11.50 (9) (ba) If an eligible candidate who accepts a grant is opposed by one or
17 more candidates in a general or special election who are required, or whose personal
18 campaign committees are required, to file a report under s. 11.12 (7), then the board
19 shall make an additional grant to the eligible candidate who accepts a grant in an
20 amount equal to the total amount or value of contributions accepted by the opposing
21 candidate or candidates exceeding the amount specified for the office sought by the
22 candidate or candidates under s. 11.12 (7) (a) for contributions from political party
23 committees or from all contributors, or if both amounts specified in s. 11.12 (7) (a) are
24 exceeded, an amount equal to the excess over both amounts specified, as reported by
25 the opposing candidate under s. 11.12 (7) (a).

1 **SECTION 86.** 11.50 (9) (bb) of the statutes is created to read:

2 11.50 (9) (bb) If any eligible candidate who accepts a grant is opposed by one
3 or more candidates in a general or special election whose names are certified under
4 s. 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot, and if a conduit has accepted or
5 intends to accept one or more contributions which the conduit has transferred or
6 intends to transfer to the certified opposing candidate and the contributions are
7 required to be reported by the conduit under s. 11.12 (6) (b), then the board shall
8 make an additional grant to the eligible candidate who accepts a grant in an amount
9 equal to the amount or value of contributions accepted by the opposing candidate or
10 candidates, as reported by the conduit under s. 11.12 (6) (b).

11 **SECTION 87.** 11.50 (9) (bc) of the statutes is created to read:

12 11.50 (9) (bc) If any eligible candidate who accepts a grant is opposed by one
13 or more candidates in a general or special election whose names are certified under
14 s. 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot, and if a committee identified in
15 s. 11.05 (3) (c), other than a conduit, intends to make or makes one or more
16 contributions to the certified opposing candidate and the contributions are required
17 to be reported by the committee under s. 11.12 (6) (e), then the board shall make an
18 additional grant to the eligible candidate who accepts a grant in an amount equal to
19 the amount or value of contributions intended to be made or made to the opposing
20 candidate or candidates, as reported by the committee under s. 11.12 (6) (e).

21 **SECTION 88.** 11.50 (9a) of the statutes is created to read:

22 11.50 (9a) ADJUSTMENT OF QUALIFYING AND GRANT AMOUNTS. (a) In this
23 subsection, “consumer price index” means the average of the consumer price index
24 over each 12-month period, all items, U.S. city average, as determined by the bureau
25 of labor statistics of the federal department of labor.

1 (b) The dollar amounts of all qualifying amounts specified in sub. (2) (b) 5. and
2 all grant amounts specified in sub. (9) shall be subject to a biennial adjustment to be
3 determined by rule of the board in accordance with this subsection. To determine the
4 adjustment, the board shall calculate the percentage difference between the
5 consumer price index for the 12-month period ending on December 31 of each
6 odd-numbered year and the consumer price index for the base period, calendar year
7 2001. For each biennium, the board shall multiply each qualifying amount and grant
8 amount by the percentage difference in the consumer price indices. The board shall
9 adjust each qualifying amount and grant amount to substitute that result for the
10 existing amount to the extent required to reflect any difference, rounded to the
11 nearest multiple of \$25. The amounts so determined shall then be in effect until a
12 subsequent rule is promulgated under this subsection. Notwithstanding s. 227.24
13 (1) (a), (2) (b) and (3), determinations under this subsection may be promulgated as
14 an emergency rule under s. 227.24 without providing evidence that the emergency
15 rule is necessary for the public peace, health, safety or welfare and without a finding
16 of emergency.

17 **SECTION 89.** 11.50 (11) (e) of the statutes is amended to read:

18 11.50 (11) (e) No candidate may expend, authorize the expenditure of or incur
19 any obligation to expend any grant if he or she violates the pledge required under
20 sub. (2) (a) as a precondition to receipt of a grant, except as authorized in sub. (2) (h)
21 or (i).

22 **SECTION 90.** 11.60 (3s) and (3t) of the statutes are created to read:

23 11.60 (3s) Notwithstanding sub. (1), if any candidate or other individual or
24 committee, including a conduit, accepts or transfers a contribution, makes a
25 disbursement or incurs an obligation to make a disbursement for the purpose of

1 supporting or opposing a candidate for an office specified in s. 11.31 (1) (a) to (f) or
2 for a purpose specified in s. 11.01 (16) (a) 3. without first registering under s. 11.05
3 (1), (2) or (2g) to the extent required under s. 11.05 (1), (2) and (2g), or without
4 reporting the information required under s. 11.12 (6) (b), (c) or (e) or (7) or 11.20 (3)
5 or (4) with respect to that contribution, disbursement or obligation, to the extent
6 required under ss. 11.12 (6) (b), (c) and (e) and (7) and 11.20 (3) and (4), the candidate
7 or other individual or committee may be required to forfeit not more than \$500 per
8 day for each day of continued violation.

9 **(3t)** Notwithstanding sub. (1), if any candidate or other individual or
10 committee, including a conduit, accepts or transfers one or more contributions,
11 makes one or more disbursements or incurs one or more obligations to make
12 disbursements for the purpose of supporting or opposing a candidate for an office
13 specified in s. 11.31 (1) (a) to (f) or for a purpose specified in s. 11.01 (16) (a) 3. in an
14 amount or value that differs from the amount reported by that individual or
15 committee under s. 11.12 (6) (b), (c) or (e) or (7) or 11.20 (3) or (4):

16 (a) By more than 5% but not more than 10% cumulatively, the individual or
17 committee shall forfeit 4 times the amount or value of the difference.

18 (b) By more than 10% but not more than 15% cumulatively, the individual or
19 committee shall forfeit 6 times the amount or value of the difference.

20 (c) By more than 15% cumulatively, the individual or committee shall forfeit
21 8 times the amount of the difference.

22 **SECTION 91.** 11.61 (1) (a) of the statutes is amended to read:

23 11.61 (1) (a) ~~Whoever~~ Except as provided in par. (d), whoever intentionally
24 violates s. 11.05 (1), (2), (2g) or (2r), 11.07 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or

1 11.24 (1) may be fined not more than \$10,000 or imprisoned not more than 3 years
2 or both.

3 **SECTION 92.** 11.61 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 283,
4 is amended to read:

5 11.61 (1) (a) ~~Whoever~~ Except as provided in par. (d), whoever intentionally
6 violates s. 11.05 (1), (2), (2g) or (2r), 11.07 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or
7 11.24 (1) may be fined not more than \$10,000 or imprisoned for not more than 4 years
8 and 6 months or both.

9 **SECTION 93.** 11.61 (1) (b) of the statutes is amended to read:

10 11.61 (1) (b) ~~Whoever~~ Except as provided in par. (d), whoever intentionally
11 violates s. 11.25, 11.26, 11.27 (1), 11.30 (1) or 11.38 where the intentional violation
12 does not involve a specific figure, or where the intentional violation concerns a figure
13 which exceeds \$100 in amount or value may be fined not more than \$10,000 or
14 imprisoned not more than 3 years or both.

15 **SECTION 94.** 11.61 (1) (b) of the statutes, as affected by 1997 Wisconsin Act 283,
16 is amended to read:

17 11.61 (1) (b) ~~Whoever~~ Except as provided in par. (d), whoever intentionally
18 violates s. 11.25, 11.26, 11.27 (1), 11.30 (1) or 11.38 where the intentional violation
19 does not involve a specific figure, or where the intentional violation concerns a figure
20 which exceeds \$100 in amount or value may be fined not more than \$10,000 or
21 imprisoned for not more than 4 years and 6 months or both.

22 **SECTION 95.** 11.61 (1) (c) of the statutes is amended to read:

23 11.61 (1) (c) ~~Whoever~~ Except as provided in par. (d), whoever intentionally
24 violates any provision of this chapter other than those provided in par. (a) and
25 whoever intentionally violates any provision under par. (b) where the intentional

1 violation concerns a specific figure which does not exceed \$100 in amount or value
2 may be fined not more than \$1,000 or imprisoned not more than 6 months or both.

3 **SECTION 96.** 11.61 (1) (d) of the statutes is created to read:

4 11.61 (1) (d) Whoever, with intent to conceal or deceive, accepts or transfers a
5 contribution, makes a disbursement or incurs an obligation to make a disbursement
6 for the purpose of supporting or opposing a candidate for an office specified in s. 11.31
7 (1) (a) to (f) or for a purpose specified in s. 11.01 (16) (a) 3. without first registering
8 under s. 11.05 (1), (2) or (2g), to the extent required under s. 11.05 (1), (2) and (2g),
9 or without reporting the information required under s. 11.12 (6) (b), (c) or (e) or (7)
10 or 11.20 (3) or (4) with respect to that contribution, disbursement or obligation, to the
11 extent required under ss. 11.12 (6) (b), (c) and (e) and (7) and 11.20 (3) and (4), may
12 be fined not more than \$10,000 or imprisoned for not more than 5 years, or both.

13 **SECTION 97.** 11.62 of the statutes is created to read:

14 **11.62 Nullification of election.** (1) If one or more violations that are
15 punishable under s. 11.60 (3t) (c) are of sufficient severity to have affected the result
16 of an election, the board or the district attorney for any county where such a violation
17 occurs, or any candidate who is adversely affected by the result of the election, may
18 commence a civil action to obtain a judgment nullifying the election, vacating the
19 office filled at the election and ordering a special election to be held to fill the office
20 vacated by the judgment.

21 (2) Notwithstanding s. 5.05 (1) (c), if a candidate is a party to an action
22 commenced under this section, the action may not be compromised or settled without
23 consent of the candidate. If an action under this section is commenced by the board
24 or a district attorney and any unsuccessful candidate whose name appeared on the
25 ballot at the election is not a party to the action, the board or district attorney shall

1 provide at least 30 days' written notice to each such candidate of any intent of the
2 board or district attorney to compromise and settle the action. Notwithstanding s.
3 5.05 (1) (c), during the 30-day period following service of notice, the board or district
4 attorney shall not compromise and settle the action and any candidate upon whom
5 notice is served may intervene in the action. If any such candidate intervenes in the
6 action within the 30-day period following service of notice, the board or district
7 attorney shall not compromise or settle the action. If no nonconsenting candidate
8 who is adversely affected by the result of the election is a party to the action and no
9 such candidate intervenes in the action within the 30-day period following service
10 of notice, the party commencing the action may compromise and settle the action.

11 **SECTION 98.** 14.58 (20) of the statutes is amended to read:

12 14.58 (20) ~~ELECTION CAMPAIGN~~ CLEAN GOVERNMENT FUND. Make disbursements
13 to each candidate certified under s. 7.08 (2) (c) or (cm) by the elections board as
14 eligible to receive moneys from the ~~Wisconsin election campaign~~ clean government
15 fund.

16 **SECTION 99.** 20.510 (1) (q) of the statutes is amended to read:

17 20.510 (1) (q) ~~Wisconsin election campaign~~ Clean government fund. As a
18 continuing appropriation, from the ~~Wisconsin election campaign~~ clean government
19 fund, the ~~moneys~~ amounts determined under s. 11.50 to provide for payments to
20 eligible candidates certified under s. 7.08 (2) (c) and (cm).

21 **SECTION 100.** 20.855 (4) (b) of the statutes is repealed.

22 **SECTION 101.** 20.855 (4) (bb) of the statutes is created to read:

23 20.855 (4) (bb) Clean government fund supplement. A sum sufficient equal to
24 the amounts required to make full payment of grants which candidates qualify to
25 receive from the clean government fund, to be transferred from the general fund to

1 the clean government fund no later than the time required to make payments of
2 grants under s. 11.50 (5).

3 **SECTION 102.** 25.17 (1) (ys) of the statutes is amended to read:

4 25.17 (1) (ys) ~~Wisconsin election campaign~~ Clean government fund (s. 25.42);

5 **SECTION 103.** 25.42 of the statutes is amended to read:

6 **25.42 ~~Wisconsin election campaign~~ Clean government fund.** All moneys
7 appropriated under s. 20.855 (4) ~~(b)~~ (bb) together with all moneys reverting to the
8 state under s. 11.50 (8) and all gifts, bequests and devises received under s. 11.50 (13)
9 constitute the ~~Wisconsin election campaign~~ clean government fund, to be expended
10 for the purposes of s. 11.50. All moneys in the fund not disbursed by the state
11 treasurer shall continue to accumulate indefinitely.

12 **SECTION 104.** 71.10 (3) of the statutes is repealed.

13 **SECTION 105. Nonstatutory provisions.**

14 (1) Notwithstanding section 990.001 (11) of the statutes, if a court finds that
15 any provision of this act is unconstitutional, the entire act is void.

16 **SECTION 106. Initial applicability.**

17 (1) The treatment of sections 11.12 (7) (d), 11.26 (10a), 11.31 (9) and 11.50 (9a)
18 of the statutes first applies to adjustments for the biennium beginning on January
19 1, 2002.

20 **SECTION 107. Effective dates.** This act takes effect on the day after
21 publication, except as follows:

22 (1) The treatment of sections 11.61 (1) (a) (by SECTION 92) and 11.61 (1) (b) (by
23 SECTION 96) of the statutes takes effect on December 31, 1999.

24

(END)