



State of Wisconsin
2001 - 2002 LEGISLATURE

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**ASSEMBLY AMENDMENT 26,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 55**

June 29, 2001 – Offered by Representatives POCAN, MILLER and BERCEAU.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 7, line 4: after that line insert:

3 **“SECTION 95c.** 11.01 (13) of the statutes is created to read:

4 11.01 (13) “Mass mailing” means the distribution of 50 or more pieces of
5 substantially identical material.

6 **SECTION 95d.** 11.01 (20) of the statutes is created to read:

7 11.01 (20) “Telephone bank operator” means any person who places or directs
8 the placement of 50 or more substantially identical telephone calls to individuals.

9 **SECTION 95e.** 11.01 (16) (a) 3. of the statutes is created to read:

10 11.01 (16) (a) 3. A communication that is made by means of one or more
11 communications media or a mass mailing, or through a telephone bank operator,
12 other than a communication that is exempt from reporting under s. 11.29, that is

1 made during the period beginning on the 60th day preceding an election and ending
2 on the date of that election and that includes a name or likeness of a candidate whose
3 name is certified under s. 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot at that
4 election or the name of an office to be filled at that election.

5 **SECTION 95f.** 11.06 (1) (intro.) of the statutes is amended to read:

6 11.06 (1) CONTENTS OF REPORT. (intro.) Except as provided in subs. (2),~~(3)~~ and
7 (3m) and ss. 11.05 (2r) and 11.19 (2), each registrant under s. 11.05 shall make full
8 reports, upon a form prescribed by the board and signed by the appropriate
9 individual under sub. (5), of all contributions received, contributions or
10 disbursements made, and obligations incurred. Each report shall contain the
11 following information, covering the period since the last date covered on the previous
12 report, unless otherwise provided:

13 **SECTION 95g.** 11.06 (2) of the statutes is amended to read:

14 11.06 (2) DISCLOSURE OF CERTAIN INDIRECT DISBURSEMENTS. Notwithstanding
15 sub. (1), if a disbursement is made or obligation incurred by an individual other than
16 a candidate or by a committee or group which is not primarily organized for political
17 purposes, and the disbursement does not constitute a contribution to any candidate
18 or other individual, committee or group, the disbursement or obligation is required
19 to be reported only if the purpose is to expressly advocate the election or defeat of a
20 clearly identified candidate or the adoption or rejection of a referendum or if the
21 disbursement is made or the obligation incurred to make a communication that is
22 specified in s. 11.01 (16) (a) 3. The exemption provided by this subsection shall in no
23 case be construed to apply to a political party, legislative campaign, personal
24 campaign or support committee.

25 **SECTION 95i.** 11.06 (3) (b) of the statutes is repealed.

1 **SECTION 95k.** 11.12 (4) of the statutes is amended to read:

2 11.12 (4) Each registrant shall report contributions, disbursements and
3 incurred obligations in accordance with s. 11.20. Except as permitted under s. 11.06
4 (2),~~(3)~~ and (3m), each report shall contain the information which is required under
5 s. 11.06 (1).

6 **SECTION 95m.** 11.24 (1v) of the statutes is created to read:

7 11.24 (1v) No registrant may accept any contribution made by a committee or
8 group that does not maintain an office or street address within this state at the time
9 that the contribution is made unless that committee or group is registered with the
10 federal election commission under 2 USC 433 (a).

11 **SECTION 95p.** 11.60 (3s) of the statutes is created to read:

12 11.60 (3s) Notwithstanding sub. (1), if any person, including any committee,
13 group, or corporation, fails to register or to report a contribution, disbursement, or
14 incurred obligation, makes an unlawful contribution or disbursement, or incurs an
15 unlawful obligation, and the violation results from a communication made for a
16 political purpose described under s. 11.01 (16) (a) 3. but not from an act for a political
17 purpose described under any other provision of s. 11.01 (16), the person may be
18 required to forfeit not more than 3 times the amount or value of the contribution,
19 disbursement, or incurred obligation.

20 **SECTION 95r.** 11.61 (1) (a) to (c) of the statutes are amended to read:

21 11.61 (1) (a) ~~Whoever~~ Except as provided in par. (d), whoever intentionally
22 violates s. 11.05 (1), (2), (2g) or (2r), 11.07 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or
23 11.24 (1) may be fined not more than \$10,000 or imprisoned for not more than 4 years
24 and 6 months or both.

1 (b) ~~Whoever~~ Except as provided in par. (d), whoever intentionally violates s.
2 11.25, 11.26, 11.27 (1), 11.30 (1) or 11.38 where the intentional violation does not
3 involve a specific figure, or where the intentional violation concerns a figure which
4 exceeds \$100 in amount or value may be fined not more than \$10,000 or imprisoned
5 for not more than 4 years and 6 months or both.

6 (c) ~~Whoever~~ Except as provided in par. (d), whoever intentionally violates any
7 provision of this chapter other than those provided in par. (a) and whoever
8 intentionally violates any provision under par. (b) where the intentional violation
9 concerns a specific figure which does not exceed \$100 in amount or value may be fined
10 not more than \$1,000 or imprisoned not more than 6 months or both.

11 **SECTION 95t.** 11.61 (1) (d) of the statutes is created to read:

12 11.61 (1) (d) Paragraphs (a) to (c) do not apply to any violation that is
13 punishable under s. 11.60 (3s).”.

14 **2.** Page 255, line 11: increase the dollar amount for fiscal year 2001-02 by
15 \$67,400 and increase the dollar amount for fiscal year 2002-03 by \$67,400 to
16 increase the authorized FTE positions for the elections board by 1.0 GPR position
17 and to provide for supporting expenses and to provide for limited term staffing needs
18 for the purpose of implementing the expanded regulation of campaign financing
19 under this act.

20 **3.** Page 1397, line 11: after that line insert:

21 “(1d) CAMPAIGN FINANCE REPORTS. The treatment of sections 11.06 (1) (intro.)
22 and (3) (b) and 11.12 (4) of the statutes first applies with respect to reporting periods
23 which begin on or after the effective date of this subsection.”.

24 (END)