



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Assembly Bill 913

**Assembly Substitute
Amendment 1**

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2009 Assembly Bill 913

2009 Wisconsin Act 89, effective December 1, 2010, established the Democracy Trust Fund, a public financing system for candidates for justice of the Supreme Court, to replace the current public financing system for candidates for justice under the Wisconsin Election Campaign Fund.

2009 Assembly Bill 913 makes changes to Act 89. The bill modifies the definitions of “exploratory period,” “primary election campaign period,” and “public financing qualifying period.” In addition, the bill modifies the provision in Act 89 regarding excess contributions to provide that if an eligible candidate receives and accepts excess seed money contributions or qualifying contributions in an aggregate amount greater than the limits prescribed in the Act, the candidate must transfer all seed money and qualifying contributions that exceed the limits to the Government Accountability Board (GAB) within 48 hours after the end of the public financing qualifying period. GAB must deposit the excess contributions in the Democracy Trust Fund.

Further, the bill prohibits a candidate who accepts a public financing benefit from the Democracy Trust Fund from making or authorizing total disbursements in a campaign to the extent of more than the maximum amounts allowed for seed money contributions, qualifying contributions, and the public financing benefit, except for certain supplemental grants.

Lastly, the bill changes the effective date of Act 89 to May 1, 2010; provides that the exploratory period in 2010 begins on May 1, 2010; and on the effective date, transfers the unencumbered balance in the justice account of the Wisconsin Election Campaign Fund to the Democracy Trust Fund.

Assembly Substitute Amendment 1

Assembly Substitute Amendment 1 contains the same provisions as Assembly Bill 913, except that the substitute amendment also removes a provision under Act 89 that requires any electronic or print communication paid for or authorized by a nonparticipating candidate to contain the following

statement: "This communication is paid for with money raised from private sources. This candidate has not agreed to abide by campaign contribution and spending limits."

Legislative History

Assembly Substitute Amendment 1 was offered by the Assembly Committee on Elections and Campaign Reform. On April 8, 2010, the committee recommended adoption of the substitute amendment and passage of Assembly Bill 913, as amended, on votes of Ayes, 6; Noes, 1.

JKR:ksm