



**ASSEMBLY AMENDMENT 3,
TO ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 1995 ASSEMBLY BILL 37**

February 16, 1995 - Offered by Representatives BOYLE, LINTON, HUBLER and DUEHOLM.

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

2 **1.** Page 1, line 6: before that line insert:

3 “**SECTION 1.** 7.08 (2) (c) of the statutes is amended to read:

4 7.08 (2) (c) As soon as possible after the canvass of the spring and September
5 primary votes, but no later than the first Tuesday in March and the 4th Tuesday in
6 September, transmit to the state treasurer a certified list of all eligible candidates
7 for state office who have filed applications under s. 11.50 (2) and whom the board
8 determines to be eligible to receive payments from the Wisconsin election campaign
9 fund. As soon as possible after the deadline under s. 8.15 (1), the board shall also
10 transmit to the state treasurer a certified list of all eligible candidates for the office
11 of representative to the assembly who have filed applications under s. 11.50 (2) and
12 whom the board determines to be eligible to receive payments from the Wisconsin
13 election campaign fund in the primary, and the amount of the payments to which the
14 candidates are entitled. The list shall contain each candidate’s name, the mailing

1 address indicated upon the candidate's registration form, the office for which the
2 individual is a candidate and the party or principle which he or she represents, if any.

3 **SECTION 1g.** 7.08 (2) (cm) of the statutes is amended to read:

4 7.08 (2) (cm) As soon as possible after the canvass of a special primary, or the
5 date that the primary would be held, if required, transmit to the state treasurer a
6 certified list of all eligible candidates for state office who have filed applications
7 under s. 11.50 (2) and whom the board determines to be eligible to receive a grant
8 from the Wisconsin election campaign fund prior to the election. The board shall also
9 transmit a similar list of candidates, if any, who have filed applications under s. 11.50
10 (2) and whom the board determines to be eligible to receive a grant under s. 11.50 (1)
11 (a) 2. after the special election. As soon as possible after the applicable deadline
12 under s. 8.50 (3) (a), the board shall also transmit to the state treasurer a certified
13 list of all eligible candidates for the office of representative to the assembly who have
14 filed applications under s. 11.50 (2) and whom the board determines to be eligible to
15 receive a grant from the Wisconsin election campaign fund in the primary, and the
16 amount of the grant to which each candidate is entitled. The list shall contain each
17 candidate's name, the mailing address indicated upon the candidate's registration
18 form, the office for which the individual is a candidate and the party or principle
19 which he or she represents, if any.".

20 **2.** Page 1, line 6: substitute "**SECTION 1r.**" for "**SECTION 1.**".

21 **3.** Page 5, line 2: after that line insert:

22 "**SECTION 6g.** 11.24 (3) of the statutes is created to read:

23 11.24 (3) No candidate for the office of representative to the assembly, personal
24 campaign committee of such a candidate or support committee of such a candidate

1 authorized under s. 11.05 (3) (p) may accept any contribution from a committee other
2 than a political party, personal campaign, legislative campaign or support committee
3 under s. 11.18. No such candidate or committee may accept any contribution from
4 an individual that is transferred to the candidate or committee by a conduit.

5 **SECTION 6r.** 11.26 (1) (c) of the statutes is amended to read:

6 11.26 (1) (c) Candidates for representative to the assembly, \$500 \$100.”.

7 **4.** Page 8, line 6: after that line insert:

8 **“SECTION 13g.** 11.31 (1) (f) of the statutes is amended to read:

9 11.31 (1) (f) Candidates for representative to the assembly, \$17,250 \$17,000
10 total in the primary and election, with disbursements not exceeding \$10,775 \$7,000
11 for either the primary ~~or~~ the election.

12 **SECTION 13r.** 11.31 (2) of the statutes is amended to read:

13 11.31 (2) LIMITATION IMPOSED. No candidate for the office of representative to
14 the assembly may make or authorize total disbursements from the campaign
15 depository in any campaign to the extent of more than the amount prescribed in sub.
16 (1). No candidate for any state office other than representative to the assembly at
17 a spring or general election who files a sworn statement and application to receive
18 a grant from the Wisconsin election campaign fund may make or authorize total
19 disbursements from the campaign treasury in any campaign to the extent of more
20 than the amount prescribed in sub. (1), unless the board determines that the
21 candidate is not eligible to receive a grant, the candidate withdraws his or her
22 application under s. 11.50 (2) (h), or s. 11.50 (2) (i) applies. No candidate for any state
23 office other than representative to the assembly at a special election who files a
24 sworn statement and application to receive a grant from the Wisconsin election

1 campaign fund may make or authorize total disbursements from the campaign
2 treasury in any campaign to the extent of more than the amount prescribed under
3 sub. (1) for the preceding spring or general election for the same office, unless the
4 board determines that the candidate is not eligible to receive a grant, the candidate
5 withdraws his or her application under s. 11.50 (2) (h), or s. 11.50 (2) (i) applies.”.

6 **5.** Page 10, line 5: after that line insert:

7 “**SECTION 15c.** 11.50 (2) (b) 3. of the statutes is amended to read:

8 11.50 (2) (b) 3. The candidate has an opponent who is certified for placement
9 on the election ballot as a candidate for the same office and in the case of a candidate
10 for the office of representative to the assembly who seeks to qualify for a grant at a
11 primary election, the candidate has an opponent who is certified for placement on the
12 primary ballot as a candidate for the same office on the ballot of the same political
13 party;

14 **SECTION 15d.** 11.50 (2) (b) 5. of the statutes is amended to read:

15 11.50 (2) (b) 5. The In the case of a candidate for the office of representative to
16 the assembly, the financial reports filed by or on behalf of the candidate as of the
17 applicable deadline for filing nomination papers under par. (a) indicate, or in the case
18 of any other candidate for state office the financial reports filed by or on behalf of the
19 candidate as of the date of the spring or September primary, or the date that the
20 special primary is or would be held, if required, indicate, that the candidate has
21 received at least the amount provided in this subdivision, from contributions of
22 money, other than loans, made by individuals, 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 applicable deadline for filing

1 nomination papers under s. 8.15 (1) or 8.20 (8) (a) and January 1 preceding such date
2 in the case of candidates for representative to the assembly at the general election,
3 or the date of the September primary and January 1 preceding such date in the case
4 of candidates for any other state office at the general election, or the applicable
5 deadline for filing nomination papers under s. 8.50 (3) (a) and 90 days preceding such
6 date in the case of candidates for the office of representative to the assembly at a
7 special election or the date that a special primary will or would be held, if required,
8 and 90 days preceding such date or the date a special election is ordered, whichever
9 is earlier, in the case of ~~special election~~ candidates for any other state office at a
10 special election, which contributions are in the aggregate amount of \$100 or less, and
11 which are fully identified and itemized as to the exact source thereof. A contribution
12 received from a conduit which is identified by the conduit as originating from an
13 individual shall be considered a contribution made by the individual. Only the first
14 \$100 of an aggregate contribution of more than \$100 may be counted toward the
15 required percentage. For a candidate at the spring or general election for an office
16 identified in s. 11.26 (1) (a) or a candidate for any office other than representative to
17 the assembly at a special election, the required amount to qualify for a grant is 5%
18 of the candidate's authorized disbursement limitation under s. 11.31. For a
19 candidate at the general election or a special election for the office of representative
20 to the assembly, the required amount to qualify for a grant is \$1,250, except as
21 provided in sub. (4) (cm) and (d). For any other candidate at the general election, the
22 required amount to qualify for a grant is 10% of the candidate's authorized
23 disbursement limitation under s. 11.31.

24 **SECTION 15e.** 11.50 (2) (c) of the statutes is amended to read:

1 11.50 (2) (c) If a candidate for the office of representative to the assembly has
2 not filed financial reports as of the applicable deadline for filing nomination papers
3 under par. (a) which indicate that he or she has met the qualifications under par. (b)
4 5., the candidate may file a special report with the board. Such report shall be filed
5 not later than the 7th day after the applicable deadline under par. (a). If a candidate
6 for any other state office has not filed financial reports as of the date of the spring
7 primary, September primary, special primary, or date that the special primary would
8 be held, if required, which indicate that he or she has met the qualification under par.
9 (b) 5., the candidate may file a special report with the board. Such report shall be
10 filed not later than the 7th day after the primary, or 7th day after the date the
11 primary would be held, if required, ~~and.~~ The special report shall include such
12 supplementary information as to sources of contributions which may be necessary
13 to complete the candidate's qualification. The special report shall cover the period
14 from the day after the last date covered on the candidate's most recent report, or from
15 the date on which the first contribution was received or the first disbursement was
16 made, whichever is earlier, if the candidate has not previously filed a report, to the
17 date of such report. All information included on the special report shall also be
18 included in the candidate's next report under s. 11.20.

19 **SECTION 15f.** 11.50 (2) (f) of the statutes is amended to read:

20 11.50 (2) (f) The board shall inform each candidate in writing of the approval
21 or disapproval of the candidate's application, as promptly as possible after the
22 applicable deadline under par. (a) in the case of a candidate for the office of
23 representative to the assembly, or as soon as possible after the date of the spring
24 primary, September primary, special primary, or date that the primary would be
25 held, if required in the case of a candidate for any other state office. With respect to

1 a candidate at a special election who applies for a postelection grant under sub. (1)
2 (a) 2., the board shall inform the candidate in writing of the conditional approval or
3 disapproval of the candidate's application at the same time.

4 **SECTION 15g.** 11.50 (2) (h) of the statutes is amended to read:

5 11.50 (2) (h) An eligible candidate who files an application under par. (a) may
6 file a written withdrawal of the application. A withdrawal of an application may be
7 filed with the board no later than the 7th day after the day of the primary in which
8 the person withdrawing the application is a candidate or the 7th day after the date
9 that the primary would be held, if required. If Except in the case of a candidate for
10 the office of representative to the assembly, if an application is withdrawn in
11 accordance with this paragraph, the person withdrawing the application is no longer
12 bound by the statement filed under par. (a) after the date of the withdrawal.

13 **SECTION 15h.** 11.50 (2) (i) of the statutes is amended to read:

14 11.50 (2) (i) Notwithstanding par. (g), if an eligible candidate at the spring
15 election or a special nonpartisan election who accepts a grant is opposed by one or
16 more candidates in the election, or if an eligible candidate for any state office other
17 than representative to the assembly at the general election or a special partisan
18 election who accepts a grant is opposed by one or more candidates in the election who
19 receive at least 6% of the vote cast for all candidates for the same office on all ballots
20 at the September primary or a special partisan primary if a primary was held, and
21 in either case if any such opponent of the eligible candidate does not accept a grant
22 under this section in whole or in part, the eligible candidate is not bound by the
23 pledge made in his or her application to adhere to the contribution limitations
24 prescribed in s. 11.26 and the disbursement limitation prescribed under s. 11.31,

1 unless each such opponent files an affidavit of voluntary compliance under s. 11.31
2 (2m).

3 **SECTION 15i.** 11.50 (4) (c) of the statutes is amended to read:

4 11.50 (4) (c) The legislative and special election campaign account shall be
5 divided into a senate campaign account to receive 25% of the moneys, and an
6 assembly campaign account to receive 75% of the moneys. Each account shall then
7 be apportioned between all eligible candidates for the same office in the entire state.
8 ~~No~~ Except as provided in pars. (cm) and (d), no apportionment shall be made by
9 legislative district.

10 **SECTION 15j.** 11.50 (4) (cm) of the statutes is amended to read:

11 11.50 (4) (cm) Each eligible candidate for the same office at a special election
12 shall receive an equal amount, which amount shall be equivalent to the maximum
13 grant which was payable to any candidate for that office at the most recent spring
14 or general election. In the case of a candidate for the office of representative to the
15 assembly at a special primary, and if the candidate is nominated at the primary, not
16 more than \$2,500 shall be payable for the primary and not more than \$6,000 shall
17 be payable for the special election. The amount shall be drawn from the senate
18 campaign account and the assembly campaign account in the same proportions as
19 the balance in each account bears to the total balance in both accounts at the time
20 that payments are made. Whenever there are insufficient moneys in the senate
21 campaign account and the assembly campaign account to make the payments
22 required by this paragraph, payments shall be appropriately reduced or
23 discontinued by the board.

24 **SECTION 15k.** 11.50 (4) (d) of the statutes is amended to read:

1 11.50 (4) (d) Within the accounts established under this subsection for each
2 office at each general election, the entire amount of all available moneys shall be
3 apportioned equally to all eligible candidates for each office other than
4 representative to the assembly. From the assembly campaign account, \$1,250 shall
5 be paid to each candidate who qualifies for a grant at a primary and for each
6 additional qualifying dollar contributed under s. 11.50 (2) (b) 5., an additional dollar
7 shall be added to that amount, not to exceed \$2,500; and \$6,000 shall be paid to each
8 candidate who qualifies for a grant at the general or a special election. The board
9 shall proportionately reduce grant amounts if insufficient moneys are available in
10 any account.

11 **SECTION 15L.** 11.50 (8) of the statutes is amended to read:

12 11.50 (8) LAPSING GRANTS. All grants disbursed under sub. (5) remain the
13 property of the state until disbursed or encumbered for a lawful purpose. All grant
14 moneys that are unspent and unencumbered by a candidate on the day after the
15 election in which the candidate participates shall revert to the state, except that with
16 respect to a candidate for the office of representative to the assembly at a primary
17 who is not nominated at the primary, all grant moneys that are unspent and
18 unencumbered by a candidate on the day after the primary shall revert to the state.
19 All deposits and refunds derived from grant moneys that are received by a candidate
20 at any time after the day of the election in which the candidate participates shall
21 revert to the state. All reversions shall be returned to the board by the candidate and
22 shall be deposited in the fund.”.

23 **6.** Page 10, line 11: after “to” insert: “50% of the disbursement level specified
24 for the office of representative to the assembly or”.

