



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa0243/1
JTK:wlj:jf

**SENATE AMENDMENT 1,
TO 2005 SENATE BILL 46**

March 2, 2005 – Offered by Senators **RISSER** and **MILLER**.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 17, line 20: delete “or (bb)”.

3 **2.** Page 18, line 8: delete “or (bb)”.

4 **3.** Page 20, line 12: delete “election” and substitute “election, an office to be
5 filled at that election, or a political party”.

6 **4.** Page 20, line 17: delete the material beginning with that line and ending
7 with page 21, line 2, and substitute:

8 “**SECTION 10.** 11.01 (4m) of the statutes, as created by 2001 Wisconsin Act 109,
9 is repealed.”.

10 **5.** Page 21, line 4: delete lines 4 and 5 and substitute:

11 “**SECTION 12.** 11.01 (12w), (13) and (14) of the statutes, as created by 2001
12 Wisconsin Act 109, are repealed.”.

1 **6.** Page 21, line 6: delete the material beginning with that line and ending with
2 page 22, line 2, and substitute:

3 “**SECTION 16m.** 11.01 (16) (a) 3. of the statutes, as created by 2001 Wisconsin
4 Act 109, is repealed and recreated to read:

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

12 **7.** Page 24, line 9: after that line insert:

13 “**SECTION 25m.** 11.05 (3) (s) of the statutes is created to read:

14 11.05 **(3)** (s) In the case of a registrant that has made a communication
15 identified in s. 11.01 (16) (a) 3., a report containing the information specified in s.
16 11.06 (1) with respect to any obligation to make a disbursement incurred or any
17 disbursement made for the purpose of making such a communication prior to
18 registration.”.

19 **8.** Page 27, line 16: after “purposes,” insert “and”.

20 **9.** Page 27, line 17: delete the material beginning with “and” and ending with
21 “11.065,” on line 18.

22 **10.** Page 32, line 25: delete the material beginning with that line and ending
23 with page 34, line 14.

- 1 **11.** Page 39, line 10: after “election,” insert “or for a purpose described in s.
2 11.01 (16) (a) 3.,”.
- 3 **12.** Page 59, line 7: delete “(h),” and substitute “(h), or”.
- 4 **13.** Page 59, line 8: delete that line.
- 5 **14.** Page 59, line 15: after “grant,” insert “or”.
- 6 **15.** Page 59, line 15: delete the material beginning with “candidate,” and
7 ending with “that” on line 16.
- 8 **16.** Page 60, line 15: delete the material beginning with that line and ending
9 with page 61, line 8.
- 10 **17.** Page 73, line 25: delete “or (bb)”.
- 11 **18.** Page 74, line 1: delete “and (bb)”.
- 12 **19.** Page 75, line 21: delete “(ba), (bb), and (c)” and substitute “(ba) and (c)”.
- 13 **20.** Page 76, line 13: delete the material beginning with “than,” and ending
14 with page “(bb),” on line 14 and substitute “than”.
- 15 **21.** Page 76, line 17: delete the material beginning with that line and ending
16 with page 77, line 5.
- 17 **22.** Page 77, line 10: delete “or (bb),”.
- 18 **23.** Page 79, line 12: delete “, (3t)”.
- 19 **24.** Page 79 line 20: delete the material beginning with that line and ending
20 with page 80, line 12, and substitute:
21 “(3u) Notwithstanding sub. (1), if any candidate or committee, other than a
22 conduit, accepts one or more contributions, makes one or more disbursements, or

1 incurs one or more obligations to make disbursements for the purpose of supporting
2 or opposing a candidate for an office specified in s. 11.31 (1) (a) to (de), (e), or (f) in
3 an amount or value that differs from the amount reported by that individual or
4 committee under s. 11.12 (6) (c) or (8) or 11.20 (3) or (4):

5 (a) By more than 5 percent but not more than 10 percent cumulatively, the
6 candidate or other individual or committee shall forfeit 4 times the amount or value
7 of the difference.

8 (b) By more than 10 percent but not more than 15 percent cumulatively, the
9 candidate or other individual or committee shall forfeit 6 times the amount or value
10 of the difference.

11 (c) By more than 15 percent cumulatively, the candidate or other individual or
12 committee shall forfeit 8 times the amount of the difference.”.

13 **25.** Page 85, line 3: delete lines 3 to 8 and substitute:

14 “(3) NONSEVERABILITY. Notwithstanding section 990.001 (11) of the statutes, if
15 a court finds that all or any portion of sections 11.01 (16) (a) 3., 11.12 (6) (c) or (8),
16 11.26 (8m), or 11.50 (9) (b) or (ba) of the statutes, as affected by this act, is
17 unconstitutional, then sections 11.01 (16) (a) 3., 11.12 (6) (c) and (8), 11.26 (8m), and
18 11.50 (9) (b) and (ba) of the statutes, as affected by this act, are void in their entirety.”.

19 (END)