



2001 ASSEMBLY BILL 726

January 16, 2002 - Introduced by Representatives JENSEN, FOTI, FREESE, LOEFFELHOLZ, WALKER, VRAKAS, MUSSER, LADWIG, WARD, JOHNSRUD, GUNDRUM, STARZYK, DUFF, M. LEHMAN, OLSEN, RHOADES, HAHN, HUNDERTMARK, URBAN, KEDZIE, GUNDERSON, MONTGOMERY, LIPPERT, STONE, SKINDRUD, LEIBHAM, KRAWCZYK, NASS, KESTELL, MCCORMICK, JESKEWITZ, KAUFERT, ALBERS and BIES, cosponsored by Senators PANZER, HARSDORF, ROSENZWEIG, KANAVAS, WELCH, DARLING, ROESSLER and HUELSMAN. Referred to Committee on Campaigns and Elections.

1 **AN ACT** *to repeal* 11.01 (12s), 11.05 (3) (o) and 11.265; and *to amend* 5.02 (13),
2 11.05 (3) (c), 11.05 (9) (b), 11.06 (2), 11.06 (7m) (a), 11.06 (7m) (c), 11.16 (5), 11.26
3 (2) (intro.), 11.26 (4), 11.26 (8), 11.26 (9) (a) and (b) and 11.50 (9) of the statutes;
4 **relating to:** limits on certain contributions received by political parties and
5 elimination of legislative campaign committees.

Analysis by the Legislative Reference Bureau

Currently, the adherents of any political party in either house of the legislature may organize a "legislative campaign committee" to support the candidacy of members of their party for legislative office. Committees other than legislative campaign committees and political party committees are generally subject to a limitation upon the contributions that they may make to candidates for legislative office or to political parties. Legislative campaign committees are subject only to overall limitations on the aggregate contributions that may be accepted by a candidate from entities other than individuals.

This bill eliminates the special treatment of legislative campaign committees under the statutes, thus causing them to be treated in the same manner as other special interest committees for the purpose of contribution limitations. The bill does not preclude a committee from utilizing any name it wishes.

ASSEMBLY BILL 726

Currently, a political party may accept up to \$150,000 in contributions from all committees during any biennium. This bill increases that amount to \$500,000.

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

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

2 5.02 (13) "Political party" or "party" means a state committee registered under
3 s. 11.05 and organized exclusively for political purposes under whose name
4 candidates appear on a ballot at any election, and all county, congressional,
5 legislative, local, and other affiliated committees authorized to operate under the
6 same name. For purposes of ch. 11, the term does not include ~~a legislative campaign~~
7 ~~committee or~~ a committee filing an oath under s. 11.06 (7).

8 **SECTION 2.** 11.01 (12s) of the statutes is repealed.

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

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

14 **SECTION 4.** 11.05 (3) (o) of the statutes is repealed.

15 **SECTION 5.** 11.05 (9) (b) of the statutes is amended to read:

16 11.05 (9) (b) An individual who or a committee or group which receives a
17 contribution of money and transfers the contribution to another individual,
18 committee, or group while acting as a conduit is not subject to registration under this
19 section unless the individual, committee, or group transfers the contribution to a
20 candidate or a personal campaign, ~~legislative campaign~~, political party, or support
21 committee.

ASSEMBLY BILL 726

1 **SECTION 6.** 11.06 (2) of the statutes is amended to read:

2 11.06 (2) DISCLOSURE OF CERTAIN INDIRECT DISBURSEMENTS. Notwithstanding
3 sub. (1), if a disbursement is made or obligation incurred by an individual other than
4 a candidate or by a committee or group which is not primarily organized for political
5 purposes, and the disbursement does not constitute a contribution to any candidate
6 or other individual, committee, or group, the disbursement or obligation is required
7 to be reported only if the purpose is to expressly advocate the election or defeat of a
8 clearly identified candidate or the adoption or rejection of a referendum. The
9 exemption provided by this subsection shall in no case be construed to apply to a
10 political party, ~~legislative campaign~~, personal campaign, or support committee.

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

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

ASSEMBLY BILL 726

1 such candidate's opponents exceeding the amounts specified in s. 11.26 (2), except as
2 authorized in par. (c).

3 **SECTION 8.** 11.06 (7m) (c) of the statutes is amended to read:

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

11 **SECTION 9.** 11.16 (5) of the statutes is amended to read:

12 11.16 (5) ESCROW AGREEMENTS. Any personal campaign committee, or political
13 party committee ~~or legislative campaign committee~~ may, pursuant to a written
14 escrow agreement with more than one candidate, solicit contributions for and
15 conduct a joint fund raising effort or program on behalf of more than one named
16 candidate. The agreement shall specify the percentage of the proceeds to be
17 distributed to each candidate by the committee conducting the effort or program.
18 The committee shall include this information in all solicitations for the effort or
19 program. All contributions received and disbursements made by the committee in
20 connection with the effort or program shall be received and disbursed through a
21 separate depository account under s. 11.14 (1) that is identified in the agreement.
22 For purposes of s. 11.06 (1), the committee conducting the effort or program shall
23 prepare a schedule in the form prescribed by the board supplying all required
24 information under s. 11.06 (1) and items qualifying for exclusion under s. 11.31 (6)

ASSEMBLY BILL 726

1 for the effort or program, and shall transmit a copy of the schedule to each candidate
2 who receives any of the proceeds within the period prescribed in s. 11.06 (4) (c).

3 **SECTION 10.** 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 11.** 11.26 (4) of the statutes is amended to read:

11 11.26 (4) No individual may make any contribution or contributions to all
12 candidates for state and local offices and to any individuals who or committees which
13 are subject to a registration requirement under s. 11.05, including legislative
14 campaign committees and committees of a political party, to the extent of more than
15 a total of \$10,000 in any calendar year.

16 **SECTION 12.** 11.26 (8) of the statutes is amended to read:

17 11.26 (8) (a) No political party as defined in s. 5.02 (13) may receive more than
18 a total of \$150,000 \$500,000 in value of its contributions in any biennium from all
19 other committees, excluding contributions from legislative campaign committees
20 and transfers between party committees of the party. In this paragraph, a biennium
21 commences with January 1 of each odd-numbered year and ends with December 31
22 of each even-numbered year.

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

ASSEMBLY BILL 726

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

4 **SECTION 13.** 11.26 (9) (a) and (b) of the statutes are amended to read:

5 11.26 (9) (a) No individual who is a candidate for state or local office may receive
6 and accept more than 65% of the value of the total disbursement level determined
7 under s. 11.31 for the office for which he or she is a candidate during any primary and
8 election campaign combined from all committees subject to a filing requirement,
9 including political party and legislative campaign committees.

10 (b) No individual who is a candidate for state or local office may receive and
11 accept more than 45% of the value of the total disbursement level determined under
12 s. 11.31 for the office for which he or she is a candidate during any primary and
13 election campaign combined from all committees other than political party and
14 legislative campaign committees subject to a filing requirement.

15 **SECTION 14.** 11.265 of the statutes is repealed.

16 **SECTION 15.** 11.50 (9) of the statutes is amended to read:

17 11.50 (9) LIMITATION ON GRANTS. The total grant available to an eligible
18 candidate may not exceed that amount which, when added to all other contributions
19 accepted from sources other than individuals, and political party committees and
20 legislative campaign committees, is equal to 45% of the disbursement level specified
21 for the applicable office under s. 11.31. The board shall scrutinize accounts and
22 reports and records kept under this chapter to assure that applicable limitations
23 under ss. 11.26 (9) and 11.31 are not exceeded and any violation is reported. No

ASSEMBLY BILL 726

1 candidate or campaign treasurer may accept grants exceeding the amount
2 authorized by this subsection.

3 (END)