



Common Cause In Wisconsin

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THE ELLIS-ERPENBACH BIPARTISAN CAMPAIGN FINANCE REFORM ACT OF 2003

The Ellis-Erpenbach Bipartisan Campaign Finance Reform Act of 2002 is a revised version of Senate Bill 104 from the 2001-2002 legislative session. It is the first truly bipartisan comprehensive campaign finance measure to be seriously considered in Wisconsin in 25 years. Authored primarily by Sen. Mike Ellis (R-Neenah), it was first endorsed by Common Cause In Wisconsin and then by many other organizations and individuals. Approximately half of the State Senate Republicans, all State Senate Democrats, and almost all Assembly Democrats supported the measure earlier this year and it had the strong backing of most of Wisconsin's leading newspapers. Senate Bill 104 passed in the State Senate by a 25 to 8 margin on February 26, 2002 but the Assembly did not consider the measure. In November of 2002, Sen. Jon Erpenbach (D-Middleton), joined Sen. Ellis as a primary co-sponsor of the measure.

This is legislation that contains some of the most revolutionary, sweeping and innovative campaign finance reform provisions to be proposed in the entire nation. Its passage and enactment into law would do much to reduce the influence of big, special interest money that has skewed our elections and corrupted our public policy-making process. It would help in restoring a measure of integrity to Wisconsin's badly tarnished reputation for clean government. It would re-establish Wisconsin as the one of the nation's leaders and pioneers in formulating effective campaign finance law.

The major provisions of the measure:

* Fully funds with **general** purpose revenue (GPR) public grants equal to 45 percent of the revised spending limits to a candidate who agrees to abide by those limits. (Current law provides for public grants of 45 percent of much lower spending limits and which are funded solely through the \$1 checkoff on the state income tax form which has not provided any where near adequate funding to fully fund public grants for many years). Raises the \$1 dollar checkoff to \$5 and then "fills in" any revenue shortfall generated from the checkoff with GPR. In addition, a partisan check-off option would be available

in order to direct the \$5 designation to the political party candidate of choice or to the Wisconsin Election Campaign Fund.

* Establishes revised, updated, realistic voluntary spending limits (last revised in 1986) for statewide and legislative elections and indexes these limits to the rate of inflation in order to keep them relevant and meaningful:

	<u>PROPOSED</u>	<u>CURRENT</u>
Governor	\$2,000,000	\$1,078,200
Lt. -Governor	500,000	323,475
Attorney General	700,000	539,000
Secretary of State	250,000	215,625
State Treasurer	250,000	215,625
Supreme Court Justice	300,000	215,625
State Superintendent	250,000	216,625
State Senator	100,000	34,500
State Representative	50,000	17,250

* Provides to a candidate who complies with the statutory spending limit a dollar for dollar match from GPR for every dollar raised by his or her opponent over the spending limit. This revolutionary provision is in place no where else in the nation for legislative elections and in Kentucky for gubernatorial contests only.

* Provides a candidate who complies with the statutory spending limit, a dollar for dollar match from GPR for every dollar spent by an independent expenditure organization or individual (above a certain threshold-which is 10 percent of the spending limit) against the complying candidate or in support of the complying candidate's opponent. This provision is in place no where else in the nation in this form but has been held constitutional in Maine where it is in place in a more limited form. This provision would likely end or discourage extensive spending by outside interest groups on costly television and radio ads who now engage in running independent expenditures and phony issue ads.

* Provides a complying candidate who is the "victim" of an issue ad which depicts the name or likeness of a candidate, the candidate's office to be filled, or his or her political party affiliation within 60 days of the general election and 30 days of the primary election with the same benefit as those who are the victim of an independent expenditure (above a certain threshold-which is 10 percent of the spending limit). It would require the organization making the issue ad expenditure to disclose the amount of the expenditure for the purpose of making a GPR match of the amount.

* Provides that independent expenditure and issue advocacy groups depicting candidates

in the 60 days and less before a general election and 30 days and less before a primary election, report to the State Elections Board the amount they intend to spend within 24 hours of obligating the funds for such expenditures.

* Candidates in receipt of a fully funded public grant would be precluded from receiving any committee (political action committee) money and non-complying candidates would be limited in the amount of committee money that they can accept. Conduit contributions would continue to be considered as individual contributions but would be subject to the same cumulative limits that apply to committees and PACs.

* Legislative Campaign Committees, which are controlled by legislative leaders and are currently the repositories of a great deal of special interest money, are treated as regular committees (PACs).

* Candidates seeking public funding must demonstrate substantial support for their candidacy within their own district (or from a county from within the district) by raising 50 percent of the qualifying money (in contributions from individuals of \$100 or less) and the other 50 percent must come from within Wisconsin. Currently, qualifying funds can come anywhere in the nation.

* All campaign fund raising by incumbents would be prohibited from the time the Governor introduces the state budget bill until it is signed by the Governor into law. Currently, incumbents can raise campaign funds at any time.

* If the provision pertaining to the treatment and public funding match for targets of independent expenditures is struck down by the courts, then the provision pertaining to issue advocacy would be severed from the legislation as well, and vice-versa. The rest of the measure would still be in effect.