

## Chapter El Bd 1

## CAMPAIGN FINANCING

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**El Bd 1.02 Filing officer defined.** The definition given under section 11.01 (7), Wis. Stats., is applied as follows:

(1) The "filing officer" for each candidate for state office and for each committee which or individual who is acting in support of or in opposition to any candidate for state office is the elections board.

(2) The "filing officer" for each candidate for local office and for each committee which or individual who is acting in support of or in opposition to any candidate for local office, but not any candidate for state office, is the clerk of the most populous jurisdiction for which any candidate who is supported or opposed seeks office.

(3) The "filing officer" for each group which or individual who is acting in support of or in opposition to any statewide referendum is the elections board.

(4) The "filing officer" for each group which or individual who is acting in support of or in opposition to any local referendum, but not any statewide referendum, is the clerk of the most populous jurisdiction in which any referendum being supported or opposed is conducted.

(5) If the jurisdiction under subsection (2) or (4) is a school district, the appropriate clerk is the city clerk in the case of a city school district. In the case of any other school district, the appropriate clerk is the school district clerk.

**History:** Emerg. cr. 7-23-74; cr. Register, November, 1974, No. 227. eff. 12-1-74

**El Bd 1.03 Duplicate filing requirements.** Section 11.09, Wis. Stats., is applied as follows:

(1) Every financial report of a candidate for U. S. representative, state senator, representative to the assembly and circuit judge, and every report of a voluntary committee or individual under section 11.06 (7), Wis. Stats., which is acting in support of or in opposition to such a candidate shall be filed in the manner specified in this section.

(2) If a candidate under subsection (1) seeks election or nomination from a district which is wholly contained within one county, he shall file a duplicate original of his financial report with the county clerk of the county in which his district is contained no later than the dates specified by law for filing of each report with the

elections board. This subsection does not apply to candidates for U. S. representative or to committees or individuals exclusively supporting such candidates.

(3) If a candidate under subsection (1) seeks nomination or election from a district which is located in more than one county, the executive secretary of the board shall transmit within 48 hours after receipt a certified duplicate copy of each financial report of such candidate to the county clerk of each county any part of which is contained in the district of the candidate.

(4) Every financial report of a voluntary committee or individual acting in support of or in opposition to a candidate under subsection (1) shall be filed in accordance with subsection (2) if the candidate who is supported or opposed seeks office from a district which is wholly contained within one county. Every financial report of a voluntary committee or individual acting in support of or in opposition to a candidate under subsection (1) shall be filed by the executive secretary in accordance with subsection (3) if the candidate who is supported or opposed seeks office from a district which is located in more than one county.

(5) The executive secretary shall also transmit within 48 hours after receipt a certified duplicate copy of each financial report of a candidate for U. S. representative under the federal election campaign act to the county clerk of each county any part of which is contained in the district of the candidate.

(6) In every case where a duplicate report is filed by the board or by any person as required by section 11.09, Wis. Stats., the executive secretary of the board shall transmit a certified duplicate copy of the registration statement to each county clerk with whom a duplicate report is filed.

(7) The executive secretary of the board shall promptly after each apportionment of congressional and legislative districts and judicial circuits transmit to all county clerks and make available a list of districts and circuits affected by this section, categorized according to responsibility for filing duplicate reports.

**History:** Emerg. cr. 8-9-74; cr. Register, November, 1974, No. 227, eff. 12-1-74.

**El Bd 1.04 Registration statements by candidates.** (1) A verified registration statement containing the information required by section 11.05 (3), Wis. Stats., where such information is applicable, shall be filed by every candidate or by his campaign treasurer on his behalf. Such registration shall be made upon a form prescribed by the board.

(2) The statement of each candidate shall include the name and address of the campaign treasurer and campaign depository, unless a candidate has received no contribution or made no disbursement at the time of registration. In such case, a treasurer shall be appointed and the depository shall be designated before a candidate receives any contribution or makes any disbursement. The appropriate filing officer shall be informed in writing under section 11.05 (5), Wis. Stats., within 10 days of such appointment or designation.

(3) No candidate or campaign treasurer of a candidate may make any contribution or disbursement from funds or property acquired

prior to the date of registration in accordance with section 11.05 (3), Wis. Stats.

(4) Section 11.05 (2), Wis. Stats applies only to registration by an individual other than a candidate. Sections 11.10 (1) and 11.22 (1) (a), Wis. Stats., apply to registration by a candidate or his campaign treasurer on his behalf.

**History:** Emerg. cr. 9-9-74; cr. Register, November, 1974, No. 227, eff. 12-1-74.

**El Bd 1.05 Records of contribution receipts.** Records maintained by every individual or treasurer in accordance with sections 11.12 (3), 11.22 (2) (c) and 11.23 (3), Wis. Stats., shall include the date of receipt of each contribution by such individual or treasurer.

**History:** Emerg. cr. 8-9-74; cr. Register, November, 1974, No. 227, eff. 12-1-74.

**El Bd 1.10 Reporting by nonresident committees and groups.** Every nonresident committee or group as defined in section 11.07 (6), Wis. Stats., acting in support of or in opposition to any candidate for state or local office, which makes or accepts contributions, incurs obligation or makes disbursements exceeding \$25 cumulatively in a calendar year within this state shall register both with the appropriate filing officer under section 11.05 (1), Wis. Stats., and with the secretary of state under section 11.07 (1), Wis. Stats.

**History:** Emerg. cr. 8-16-74; cr. Register, November, 1974, No. 227, eff. 12-1-74.

**El Bd 1.105 Contributor reports by national party committees.** For purposes of section 11.08 (2), Wis. Stats., a committee of a political party does not include a national organization or other national committee of a political party.

**History:** Emerg. cr. 9-9-74; cr. Register, November, 1974, No. 227, eff. 12-1-74.

**El Bd 1.11 Reporting dates for political party committees. (1)** Election reports by political party committees not supporting or opposing any candidate for national office and by all such committees other than state or congressional district committees shall be received by the board on the dates specified under section 11.20 (3), Wis. Stats.

(2) Election reports by political party committees supporting or opposing any candidate for national office shall be received by the board on the dates specified under section 11.20 (4), Wis. Stats.

(3) Continuing reports by political party committees not supporting or opposing any candidate for national office and by all such committees other than state or congressional district committees shall be received by the board on the dates specified under section 11.20 (5), Wis. Stats.

(4) Continuing reports by political party committees supporting or opposing any candidate for national office shall be received by the board on the dates specified under section 11.20 (6), Wis. Stats.

(5) For purposes of compliance with section 11.08 (2), Wis. Stats., a political party committee which reports on federal reporting dates under subsections (2) and (4) shall file reports of contributions on the dates specified under section 11.20 (6), and 11.20 (4), Wis. Stats., in the case of the September primary and general election.

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(6) Currency of reports by political party committees shall be in accordance with the specifications in section 11.20 (8), Wis. Stats.

History: Emerg. cr. 8-16-74; cr. Register, November, 1974, No. 227, eff. 12-1-74.

**El Bd 1.14 Referendum reporting threshold.** Section 11.23 (1), Wis. Stats., grants the same exemption granted by section 11.05 (1) and (2), Wis. Stats. Any group which makes or accepts contributions, incurs obligations or makes disbursements in a calendar year in an aggregate amount of \$25 or less and any individual who accepts contributions, incurs obligations or makes disbursements in a calendar year in an aggregate amount of \$25 or less in support of or in opposition to any referendum need not file a registration statement under section 11.05, Wis. Stats. and financial reports under section 11.06 (1), Wis. Stats.

History: Emerg. cr. 8-9-74; cr. Register, November, 1974, No. 227, eff. 12-1-74.

**El Bd 1.20 Disbursement limitation salary basis.** In computing the authorized disbursement limitation under section 11.31 (1) (j), Wis. Stats., the term "annual salary" means the salary to which a candidate would, if elected, be entitled during the first year of his incumbency.

History: Emer. cr. 8-9-74; cr. Register, November, 1974, No. 227, eff. 12-1-74.

**El Bd 1.25 Loan treatment respecting limitations.** A loan when made by any person, committee or group (except a loan of money by a national or state bank made by the bank in accordance with applicable banking laws and regulations in the ordinary course of business) shall be reported as a contribution or disbursement, and also as an incurred obligation by the debtor. When such a loan is received by a registrant, it is counted within the contribution limitation of the creditor while outstanding, but is not counted within the limitation after repayment. The amount or value of any such outstanding loans and any other contributions or disbursements shall at no time exceed any limitation specified in sections 11.26 and 11.31, Wis. Stats.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75.

**El Bd 1.26 Return of contribution; effect on limitation.** When a contribution is returned by a registrant after deposit in the campaign depository, such return does not constitute a disbursement for purposes of section 11.31, Wis. Stats. The registrant returning the contribution lists it as a "negative entry", while the registrant receiving the returned contribution lists it as "other income".

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75.

**El Bd 1.27 Refund of disbursement; effect on limitation.** When a disbursement made by any registrant is refunded in whole or in part, the return may be indicated as a negative entry under the listing of itemized disbursements in a financial report.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75.