

ORDER
OF THE
STATE ELECTIONS BOARD

Relating to the levels of disbursements for candidates in campaigns for election to state office and the limits on contributions to candidates for state and local office.

Pursuant to the authority vested in the state of Wisconsin elections board by ss. 11.13 (9) and 227.014 (2)(a), Stats., the elections board hereby proposes to amend its rule interpreting s. 11.31, Stats., as follows:

SECTION El.Bd. 1.44 of the Wisconsin Administrative Code is amended to read:

El.Bd. 1.44 DISBURSEMENT LEVELS. (1) Limitation imposed. No Except as authorized in s. 11.50 (2)(i), Stats., applying to disbursement levels, no candidate for state office who files a sworn statement and application to receive a grant from the Wisconsin election campaign fund and who receives and accepts any such grant may make or authorize total disbursements from the campaign treasury in any campaign to the extent of more than which exceed the amounts specified below.

(2) Pursuant to s. 11.31 (9), Stats., the The following levels of disbursements are established with reference to the candidates listed below through the period ending on February 28, 1982 until the disbursement levels are adjusted pursuant to s. 11.31 (9), Stats. Except as provided in sub. (1), such levels do not operate to restrict the total amount of disbursements which are made or authorized to be made by any candidate in any primary or other election.

(a) Candidates for governor, ~~\$221,075~~ 302,025 in the primary, and ~~\$515,875~~ 704,725 in the election.

(b) Candidates for lieutenant governor, ~~\$147,400~~ 201,350 in the primary, and ~~\$73,700~~ 100,675 in the election.

(c) Candidates for attorney general, ~~\$184,250~~ 251,700 in the primary, and ~~\$184,250~~ 251,700 in the election.

(d) Candidates for secretary of state, state treasurer, justice of the supreme court and state superintendent of public instruction, ~~\$58,950~~ 80,550 in the primary, and ~~\$88,425~~ 120,800 in the election.

(e) Candidates for court of appeals judge, ~~\$22,100~~ 30,200 in the primary, and ~~\$36,850~~ 50,350 in the election.

(f) Candidates for state senator, ~~\$23,575~~ 32,225 total in the primary and election, with disbursements not exceeding ~~\$14,750~~ 20,125 for either the primary or the election.

(g) Candidates for representative to the assembly, ~~\$11,800~~ 16,100 total in the primary and election, with disbursements not exceeding ~~\$7,375~~ 10,075 for either the primary or the election.

(h) Candidates for circuit judge, ~~\$58,950~~ 80,550 total in the primary and election.

(i) In any jurisdiction or district, other than a judicial district or circuit, with a population of 500,000 or more, according to the most recent ~~county-wide~~ federal census covering the entire jurisdiction or district:

1. For the following offices:

a. Candidates for county executive, ~~\$184,250~~ 251,700 total in the primary and election.

b. Candidates for district attorney, ~~\$110,550~~ 151,000 total in the primary and election.

c. Candidates for county supervisor, ~~\$11,800~~ 16,100 total in the primary and election.

d. Candidates for any other countywide ~~offices~~ elective office, not specified in counties of this size, ~~\$73,700~~ 100,675 total in the primary and election.

2. For the following offices in cities of the 1st class:

a. Candidates for mayor, ~~\$184,250~~ 251,700 total in the primary and election.

b. Candidates for city attorney, ~~\$110,550~~ 151,000 total in the primary and election.

c. Candidates for alderman, ~~\$11,800~~ 16,100 total in the primary and election.

d. Candidates for any other citywide offices ~~office~~, ~~\$73,700~~ 100,675 total in the primary and election.

(j) Candidates for any local office who are elected from a jurisdiction or district with less than 500,000 inhabitants, according to the latest federal census or census information on which the district is based, as certified by the appropriate filing officer, an amount equal to the greater of:

a. ~~\$725~~ 1,000, or

b. ~~36.85~~ 50.33 percent of the annual salary for the office sought, rounded to the nearest \$25, or

c. ~~22.11~~ 30.2 cents per inhabitant, ~~but in no event more than \$29,475~~ of the jurisdiction or district, rounded to the nearest \$25, but in no event more than \$40,275 in the primary and election.

The rule contained in this order shall merge, under ss. 227.026 (1)(c) and 11.31 (9), Stats., that authorizes the Elections Board by adopting an emergency rule to amend s. 11.31, Stats., with the duly authorized order adopting emergency rule El.Bd. 1.44 that became effective May 5, 1984.

Dated: September 13, 1984

(SEAL)

/s/ Kevin J. Kennedy
KEVIN J. KENNEDY
Executive Secretary
State Elections Board



State of Wisconsin \ ELECTIONS BOARD

September 14, 1984

John Niebler
Chairman

RECEIVED
125 SOUTH WEBSTER STREET
MADISON, WISCONSIN 53702
(608) 266-8005

SEP 17 1984

Kevin J. Kennedy
Executive Secretary

Revisor of Statutes
Bureau

Mr. Gary L. Poulson
Assistant Revisor
Revisor of Statutes Bureau
411 West, State Capitol
Madison, WI 53702

Dear Mr. Poulson:

This letter informs you that both the senate and assembly recently waived its authority to object to El.Bd. 1.44, Wis. Adm. Code, the proposed permanent rule to amend the present rule about disbursement levels. In the light of this action, Kevin J. Kennedy, executive secretary of the Elections Board, issued the order to adopt the amendment to this rule.

Two copies of Mr. Kennedy's order are enclosed.

In his order, Mr. Kennedy provided in effect that the effective date of the rule merged, under §227.026 (1)(c) and 11.31 (9), Stats., that authorizes the Elections Board by adopting an emergency rule to amend §11.31, Stats., with the duly authorized order adopting the emergency rule El.Bd. 1.44 that became effective May 4, 1984. This formulation of the effective date differs from the recommended formulation for stating the effective date of a permanent rule, which is the first day of the month following its publication. The reason for this is that we take the position that the original emergency rule itself permanently amended §11.31, Stats., and a permanent rule is unnecessary for this purpose. We take the position, however, that the permanent rule is only necessary to trigger the publication of the change in the Wisconsin Administrative Code itself, which is appropriate. With this in mind, I request you to publish this order containing the language about the rule merging with the emergency rule.

If you have any questions, please contact me.

Thank you for your cooperation.

Sincerely,

STATE ELECTIONS BOARD

Kevin B. Cronin
Legal Counsel