

Chapter El Bd 1

CAMPAIGN FINANCING

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El Bd 1.02 Multiple candidacies. (1) Any candidate seeking election to an office other than that indicated on his registration statement or that of his personal campaign committee must file an amended registration statement with the appropriate filing officer or officers indicating such change. Financial disclosure reports filed subsequent to such change must be filed with the filing officer for the office designated on the amended registration statement.

(2) When a candidate is simultaneously seeking election to more than one office, he shall file duplicate consolidated registration statements indicating all offices sought and duplicate consolidated financial disclosure reports with the appropriate filing officers. The personal campaign committee of such a candidate is responsible for ensuring compliance with the contribution limitation applicable to each office sought.

(3) Regardless of the number of offices sought, a candidate may not have more than one committee, treasurer and campaign depository account.

History: Cr. Register, June, 1976, No. 246, eff. 7-1-76.

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

(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; r. (1) to (6), Register, March, 1976, No. 243, eff. 4-1-76.

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El Bd 1.04 Debt retirement; treatment of contributions received and accepted after election. (1) Contributions received and accepted for the purpose of retiring debts incurred in a prior campaign should be counted against the contributor's contribution limit for said campaign. Contributions received and accepted in excess of the amount needed to retire such debt shall be counted against the contributor's contribution limits applicable to the next campaign on a first-in first-out basis with the contributions received and accepted first applied to debt retirement.

(2) Notwithstanding the above, a contribution received and accepted before the end of the post-election reporting period should be counted against the limits for the campaign in which the election took place, regardless of whether all campaign debts have been retired at the time the contribution is received.

History: Cr. Register, June, 1976, No. 246, eff. 7-1-76.

El Bd 1.05 Reporting of disbursements. Every withdrawal of funds except for internal transfers for investment purposes from the campaign depository account must be reported in accordance with ss. 11.06 and 11.20, Stats.

History: Cr. Register, June, 1976, No. 246, eff. 7-1-76.

El Bd 1.06 Corporate registration and reporting. (1) Every foreign or domestic corporation or association organized under ch. 185, Stats., which establishes a separate segregated fund pursuant to s. 11.38 (1) (a) 2., Stats., shall register with the appropriate filing officer on a form prescribed by the board.

(2) Every foreign or domestic corporation or association organized under ch. 185, Stats., which is required to register pursuant to subsection (1), shall file financial disclosure reports with the appropriate filing officer in accordance with s. 11.20 (4), Stats., on a form prescribed by the board.

History: Cr. Register, July, 1976, No. 247, eff. 8-1-76.

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

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

El Bd 1.12 Filing requirements for special elections. (1) The personal campaign committee of every candidate who wins a primary for a special election must file pre primary, pre election and post election reports, on the dates specified for those reports in s. 11.20 (3), Stats. The personal campaign committee of every candidate who loses a primary for a special election must file pre and post primary reports, on the dates specified for those reports in s. 11.20 (3), Stats.

(2) Every political committee and group required to register under s. 11.05, Stats., and formed exclusively to affect the outcome of a special election shall file reports, according to the requirements set out for personal campaign committees under (1).

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(2) Any committee-group may consolidate referendum-related and candidate-related activity by:

(a) Filing a duplicate consolidated registration statement or amending a previously filed registration statement with the appropriate filing officer or officers, indicating all candidates and referenda supported or opposed, or

(b) Filing duplicate consolidated financial disclosure reports, which indicate the specific purpose of each expenditure so as to differentiate between expenditures intended to influence referenda and expenditures intended to influence the election or defeat of a candidate.

(3) A committee-group which consolidates activity pursuant to this rule is subject to those limits on the receipt of contributions to which it would be subject if it were operating solely as a committee.

(4) A committee-group which consolidates activity pursuant to this rule must have a single treasurer and a single depository.

(5) Notwithstanding the above, any committee-group may separate referendum-related and candidate-related activity by filing separate registration statements, separate financial disclosure reports, and by maintaining a separate depository for each type of activity.

History: Cr. Register, January, 1978, No. 265, eff. 2-1-78.

El Bd 1.44 Disbursement levels. (1) LIMITATION IMPOSED. 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 the amounts specified below.

(2) **LEVELS ESTABLISHED.** The following levels of disbursements are established with reference to the candidates listed below through the period ending on February 29, 1980. 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, \$184,325 in the primary and \$430,075 in the election.

(b) Candidates for lieutenant governor, \$122,875 in the primary and \$61,450 in the election.

(c) Candidates for attorney general, \$153,600 in the primary and \$153,600 in the election.

(d) Candidates for secretary of state, state treasurer, justice of the supreme court and state superintendent of public instruction, \$49,150 in the primary and \$73,725 in the election.

(e) Candidates for state senator, \$19,650 total in the primary and election, with disbursements not exceeding \$12,300 for either the primary or the election.

(f) Candidates for representative to the assembly, \$9,825 total in the primary and election, with disbursements not exceeding \$6,150 for either the primary or the election.

(g) In any county with a population of 500,000 or more, according to the most recent countywide federal census:

1. For the following county offices:

a. Candidates for county executive, \$153,600 total in the primary and election, with disbursements not exceeding \$110,600 for either the primary or the election.

b. Candidates for district attorney, \$92,150 total in the primary and election, with disbursements not exceeding \$61,450 for either the primary or the election.

c. Candidates for county supervisor, \$9,825 total in the primary and election, with disbursements not exceeding \$6,150 for either the primary or the election.

2. Candidates for any other countywide office, in counties of this size, \$61,450 total in the primary and election, with disbursements not exceeding \$36,875 for either the primary or the election.

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

a. Candidates for mayor, \$153,600 total in the primary and election, with disbursements not exceeding \$110,600 for either the primary or the election.

b. Candidates for city attorney, \$92,150 total in the primary and election, with disbursements not exceeding \$61,450 for either the primary or the election.

c. Candidates for other citywide office, \$61,450 total in the primary and election, with disbursements not exceeding \$36,875 for either the primary or the election.

d. Candidates for alderman, \$9,825 total in the primary and election, with disbursements not exceeding \$6,150 for either the primary or the election.

(h) Candidates for any other state or local offices, elected from jurisdictions or districts 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) \$625, or b) 30.72% of the annual salary, or c) 18.432 cents per inhabitant, but in no event more than \$24,575 for both the primary and election combined.

History: Emerg. cr. eff. 4-27-78; cr. Register, August, 1978, No. 272, eff. 9-1-78.

El Bd 1.50 Non-candidate committees collecting on behalf of a specific candidate and the voluntary oath. When a non-candidate committee accepts contributions on behalf of a specific candidate, it must file the voluntary oath in s. 11.06 (7), Stats., by which the committee's independence of the candidate is affirmed. A political action committee whose campaign finance reports show support of only one candidate is presumed to be accepting contributions in support of that candidate and required to file the voluntary oath in s. 11.06 (7), Stats., by which the committee's independence of the candidate is affirmed. That presumption may be overcome by countervailing evidence.

History: Cr. Register, June, 1979, No. 282, eff. 7-1-79.