

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 1.02 Filing officer defined. **History:** Emerg. cr. 7-23-74; cr. Register, November, 1974, No. 227, eff. 12-1-74; r. Register, March, 1976, No. 243, eff. 4-1-76.

El Bd 1.03 Duplicate filing requirements. Section 11.09, Wis. 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.

El Bd 1.04 Debt retirement. Contributions received 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 in excess of the amount needed to retire such debt

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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 first applied to debt retirement.

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

El Bd 1.04 Registration statements by candidates. **History:** Emerg. cr. 9-9-74; cr. Register, November, 1974, No. 227, eff. 12-1-74; r. Register, March, 1976, No. 243, eff. 4-1-76.

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 sections 11.06 and 11.20, Wis. Stats.

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

El Bd 1.05 Records of contribution receipts. **History:** Emerg. cr. 8-9-74; cr. Register, November, 1974, No. 227, eff. 12-1-74; r. Register, March, 1976, No. 243, eff. 4-1-76.

El Bd 1.06 Corporate registration and reporting. (1) Every foreign or domestic corporation or association organized under chapter 185, Wis. Stats., which establishes a separate segregated fund pursuant to section 11.38 (1) (a) 2., Wis. 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 chapter 185, Wis. Stats., which is required to register pursuant to subsection (1), shall file financial disclosure reports with the appropriate filing officer in accordance with section 11.20 (4), Wis. 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 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 obligations 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. **History:** Emerg. cr. 9-9-74; cr. Register, November, 1974, No. 227, eff. 12-1-74; r. Register, March, 1976, No. 243, eff. 4-1-76.

El Bd 1.11 Reporting dates for political party committees. **History:** Emerg. cr. 8-16-74; cr. Register, November, 1974, No. 227, eff. 12-1-74; r. Register, March, 1976, No. 243, eff. 4-1-76.

El Bd 1.12 Filing requirements for special elections. (1) Every political committee and every political group required to register under section 11.05, Wis. Stats., and formed exclusively to affect the outcome of a special election shall file election reports on the dates specified in section 11.20 (3), Wis. Stats.

(2) Every political party committee and every political committee and group not specified in (1) that makes a direct disbursement to affect the outcome of a special election shall file election reports on the dates specified in section 11.20 (3), Wis. Stats.

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(3) A direct disbursement under (2) shall not include a contribution made to a political party committee, a political committee or a political group.

History: Emerg. cr. eff. 9-19-75; cr. Register, March, 1976, No. 243, eff. 4-1-76.

El Bd 1.13 Spring primary reports. When no spring primary is held, all candidates in the spring election and all political committees supporting or opposing said candidates and all political groups supporting or opposing referenda to be voted on at the spring election must file pre and post primary reports in accordance with section 11.20 (3), Wis. Stats. This requirement, however, does not apply to registrants exempted from filing requirements under section 11.05 (2r), Wis. Stats.

History: Emerg. cr. eff. 2-3-76; cr. Register, June, 1976, No. 246, eff. 7-1-76.

El Bd 1.14 Referendum reporting threshold. **History:** Emerg. cr. 8-9-74; cr. Register, November, 1974, No. 227, eff. 12-1-74; r. Register, March, 1976, No. 243, eff. 4-1-76.

El Bd 1.20 Disbursement limitation salary basis. **History:** Emerg. cr. 8-9-74; cr. Register, November, 1974, No. 227, eff. 12-1-74; r. Register, March, 1976, No. 243, eff. 4-1-76.

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.

El Bd 1.28 Scope of regulated activity; election of candidates. (1) Definitions. As used in this rule:

(a) "Political committee" means every committee which is formed primarily to influence elections or which is under the control of a candidate.

(b) "Contributions earmarked for political purposes" means contributions made to 1) a candidate, or 2) a political committee or 3) an

individual who makes contributions to a candidate or political committee or incurs obligations or makes disbursements for the purpose of expressly advocating the election or defeat of an identified candidate.

(2) Individuals other than candidates and committees other than political committees are subject to the applicable disclosure-related and recordkeeping-related requirements of chapter 11, Wis. Stats., only when they:

(a) Make contributions earmarked for political purposes, or

(b) Make contributions to any person at the request or with the authorization of a candidate or political committee, or

(c) Make expenditures for the purpose of expressly advocating the election or defeat of an identified candidate.

(3) Consistent with section 11.05 (2), nothing in subsection (1) or (2) should be construed as requiring registration and reporting, under sections 11.05 and 11.06, Wis. Stats., of an individual whose only activity is the making of contributions.

History: Emerg. cr. eff. 8-25-76; cr. Register, January, 1977, No. 253, eff. 2-1-77.

El Bd 1.29 Scope of regulated activity; referenda. The requirements of disclosure and recordkeeping of section 11.23, Wis. Stats., are applicable to individuals and groups other than groups formed primarily to influence the outcome of a referendum as to contributions, disbursements and obligations which are directly related to express advocacy of a particular result in a referendum. Nothing contained herein should be construed to exempt groups formed primarily to influence the outcome of a referendum from the requirements of disclosure and recordkeeping of section 11.23, Wis. Stats.

History: Emerg. cr. eff. 8-25-76; emerg. am. eff. 9-7-76; cr. Register, January, 1977, No. 253, eff. 2-1-77.

El Bd 1.30 Revocation of \$250 exemption indication. When a registrant who has signed an indication on a registration statement that the registrant will not receive contributions, make disbursements or incur obligations in excess of \$250 discovers that his or her financial activity will exceed \$250, the registrant must so inform his or her filing officer by verified letter filed with the filing officer or with the U.S. postal service by first class mail with sufficient prepaid postage, addressed to the appropriate filing officer, no later than the date on which the \$250 limit is exceeded. Such registrant is subject to applicable reporting requirements as of the date on which the \$250 limit is exceeded, including the requirement to report contributions received, disbursements made and obligations incurred before the \$250 limit was exceeded.

History: Emerg. cr. eff. 9-13-76; cr. Register, January, 1977, No. 253, eff. 2-1-77.

EXECUTIVE ORDER 34. State of Emergency on Wisconsin's highways over July 4th weekend.

EXECUTIVE ORDER 35. State of emergency declared due to the drought conditions in Wisconsin. The statutory notice and hearing provisions of section 30.18, Wis. Stats., relating to the diversion of water from streams for the purposes of crop irrigation is suspended. Orders the department of natural resources to expedite permit requests under section 30.18. This emergency order is to be in effect for 30 days.

History: Signed July 13, 1976.

EXECUTIVE ORDER 36. It is ordered and directed that:

(1) The declaration of an "energy emergency" and definitions of the powers and responsibilities of the Wisconsin Office of Emergency Energy Assistance as set forth in Executive Order No. 1 shall continue in effect.

(2) There shall be an orderly transfer of the functions of the Wisconsin Office of Emergency Energy Assistance to the Office of State Planning and Energy within the Department of Administration to complement the economic, physical, and environmental planning and coordination responsibilities presently being carried out under Section 16.95 of the Wisconsin Statutes, and to provide for an energy policy planning and analysis capability.

(3) The Director of the Office of State Planning and Energy is hereby designated to carry out all responsibilities contained in Chapter 125 of the Wisconsin Statutes.

(4) The Office of State Planning and Energy shall carry out the programs under the federal Energy Policy and Conservation Act, and be designated the recipient of any federal grants available to the State under this law.

(5) All State agencies shall cooperate with the Office of State Planning and Energy by providing information and assistance necessary for that Office to carry out its responsibilities.

History: Signed September 2, 1976.

EXECUTIVE ORDER 37. Creates a Council on Rural Area and Community Development.

EXECUTIVE ORDER 38. Orders and Directs that:

1. The head of each agency shall immediately establish a forms review process in order to eliminate, consolidate, and simplify that agency's forms. Primary attention shall be directed to forms used by citizens, businesses, other private organizations, and local units of government. Secondary emphasis shall be directed to forms used in internal state government operations. When appropriate, agencies shall seek advice from private citizens and other form users.

2. The forms review process should place particular emphasis on the uses of individual forms. Special efforts should be made to eliminate forms that provide information which is infrequently utilized and which require extensive use of storage facilities.

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3. All forms should be examined with the end in mind of improving their readability. Wherever possible, forms should be written in clear, concise language which is readily understandable by those from whom information is solicited.

4. The head of each agency, after determining that forms which should be eliminated or simplified are nonetheless required by statute or rule, shall seek appropriate action to repeal or amend the statutes or rules in question.

5. The Department of Administration shall assist agencies in their forms review process by providing procedural recommendations; the Department shall also clarify areas of duplication on a statewide basis; and shall report the results of the forms review to the Governor by June 30, 1977.

6. Upon completion of the forms review, state agencies shall make recommendations to the Department of Administration regarding the avoidance of unnecessary forms and form requirements in the future.

History: Signed November 1, 1976.