

Opinion Withdrawn – Wisconsin Ethics Commission – 12/06/2016

Summary:

A political party treasurer may be appointed by a candidate as his campaign treasurer. Separate bank accounts must be maintained so that a candidate's funds are not intermingled with the party treasury. (Issued to Thomas S. Sliak, August 23, 1974)

This opinion was reviewed by the Government Accountability Board pursuant to 2007 Wisconsin Act 1 and was reaffirmed on November 11, 2008.

Opinion:

You state that the La Crosse County Republican Party will employ a centralized treasurer system whereby the county party treasurer or one of his assistants will serve as the campaign treasurer for each candidate. Separate bank accounts for each candidate will be maintained. The party will not make contributions (combined with other committees) exceeding 65% of the disbursement limitation. Disbursements from each candidate's fund will require the approval of party officers, by agreement with the candidate. You inquire whether this plan, as to those specific details provided, is in conformity with the Campaign Finance Law. It is the opinion of the board that the answer is "yes."

While only a candidate can appoint a campaign treasurer under §§11.10 (1) and 11.22 (1)(a), Stats., there is nothing to preclude the appointment of a political party treasurer if this individual is an elector in this state. The maintenance of separate bank accounts for each candidate's campaign fund is in compliance with §§11.14 and 11.22 (3), Stats. Political party funds must be kept separated, and party contributions made in accordance with §11.26 (9), Stats. While the law requires that only a campaign treasurer or other authorized agent of a candidate may make a disbursement or incur an obligation, there is nothing to preclude the candidate's having a party officer as his authorized agent.

The board would point out only that the power to delegate responsibility lies with the candidate and that this procedure does not absolve the candidate from the ultimate responsibility for decisions made on his behalf. Any difficulty which may arise between the party and the candidate must be handled as an internal matter.