

Federal authorization of spending limits which are in excess of those provided by state law in campaigns for U.S. congressman is not governing in determining compliance by Wisconsin candidates for national office. Federal spending limitations upon a candidate and members of his immediate family are consistent with state contribution limitations for these specific contributors. (Issued to Alan C. Cole, August 6, 1974)

You inquire whether the Wisconsin state disbursement limitation imposed by section 11.31 (1)(b), Stats., can have effect in view of other spending limitations imposed by federal law.

It is the opinion of the board that Wisconsin is a sovereign state, that it is authorized to control campaigns conducted within its borders, and that the federal attempt to regulate this field is of no effect.

Under section 104 (a) of Title 1, Federal Election Campaign Act of 1971, and regulations currently in effect thereunder, a candidate for the U.S. House of Representatives may spend not more than \$57,200, separately applied to the primary and election, for the use of communications media, including the printed media. Of this total not more than \$34,320 may be used for broadcast media. A candidate and members of his immediate family are authorized in any event to spend not more than \$25,000 total for all purposes in connection with a campaign.

Under state law, a candidate for the U.S. House of Representatives may not authorize disbursements exceeding \$35,000 in the primary and \$50,000 in the election. This limitation applies not only for communications media but for any political purpose.

However, the federal limitation on expenditures by a candidate and members of his immediate family are interpreted to apply consistently with state contribution limits under s. 11.26 (1)(b) and (10), Stats., because it is possible to expend the entire federal limitation and still comply with state law.