

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

1999-00

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on
Campaigns &
Elections
(AC-CE)

File Naming Example:

Record of Comm. Proceedings ... RCP

- > 05hr_AC-Ed_RCP_pt01a
- > 05hr_AC-Ed_RCP_pt01b
- > 05hr_AC-Ed_RCP_pt02

Published Documents

> Committee Hearings ... CH (Public Hearing Announcements)

> **

> Committee Reports ... CR

> **

> Executive Sessions ... ES

> **

> Record of Comm. Proceedings ... RCP

> **

*Information Collected For Or
Against Proposal*

> Appointments ... Appt

> **

> Clearinghouse Rules ... CRule

99HR_CRule_99-077_AC-CE_pt01

> Hearing Records ... HR (bills and resolutions)

> **

> Miscellaneous ... Misc

> **



Rep. Stephen Freese
Campaigns & Elections Committee
115 W - State Capitol

Wisconsin Speaker Pro Tempore
Representative Stephen J. Freese

TO: Members of the Assembly Campaigns and Elections Committee

Rep. Scott Suder, Vice-Chair	Rep. David Travis
Rep. Scott Walker	Rep. David Cullen
Rep. Phil Montgomery	Rep. Mark Miller
Rep. Bonnie Ladwig	Rep. Gary Sherman

FROM: Representative Stephen Freese, Chair

DATE: June 10, 1999

RE: Clearinghouse rule 99-077

On June 8, 1999, the following clearinghouse rule was referred to the Assembly Campaigns and Elections Committee:

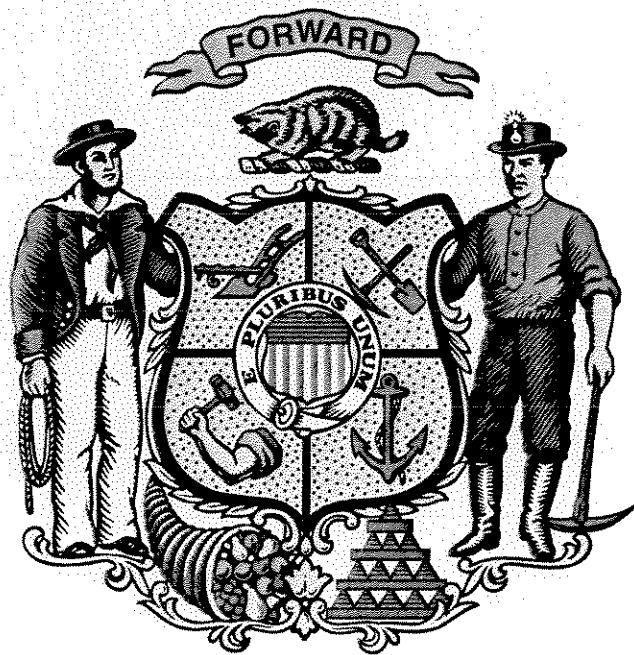
Clearinghouse Rule 99-077, relating to filing campaign finance reports in electronic format.

The deadline for committee action on this rule is **July 8, 1999**. If you would like a copy of the rule, please contact Terri Griffiths in my office at 266-7502. If you are interested in requesting a hearing and/or submitting comments, please do so prior to the deadline date.

Fifty-First Assembly District

Office: Post Office Box 8952 • Madison, Wisconsin 53708-8952 • (608) 266-7502 • Fax: (608) 261-9474 • Rep.Freese@legis.state.wi.us
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CLEARINGHOUSE RULE 99-077

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

- a. Since s. EIBd 6.05 currently exists, the rule revision should declare that s. EIBd 6.05 (2), (3), (4) and (6) are amended, rather than declaring that s. EIBd 6.05 is created.
- b. The amendment to s. EIBd 6.05 (2) should show the phrase "January 1, 1999, covering activity on or after January" stricken through followed by the underscored word "July." The second occurrence of "1999" should not be affected.
- c. The word "any" in the proposed amendment to s. EIBd 6.05 (3) should be shown stricken followed by the underscored word "Any."

WISCONSIN LEGISLATIVE COUNCIL STAFF

LCRC
FORM 2

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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 99-077

AN ORDER to amend EIBd 6.05, relating to filing campaign finance reports in electronic format.

Submitted by **ELECTIONS BOARD**

04-23-99 RECEIVED BY LEGISLATIVE COUNCIL.

05-20-99 REPORT SENT TO AGENCY.

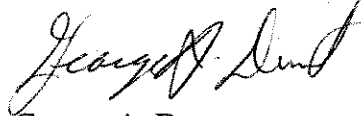
RS:SPH;jal;wu

NOTICE

This notice is to inform you that the proposed rule-making of the State Elections Board, appearing in Clearinghouse Rule 99-007, amending ElBd. 6.05, is submitted to the presiding officer of each house of the legislature. This submission includes the proposed rule, the Legislative Council's staff's report and the Elections Board's report. In addition, the Elections Board is placing in the Wisconsin Administrative Register a notice that the proposed rules have been submitted to the presiding officer of each house.

Dated May 25, 1999

STATE ELECTIONS BOARD



George A. Dunst
Legal Counsel

REPORT
OF
STATE ELECTIONS BOARD

Clearinghouse Rule 99-077
Rules Chapter EIBd. 6.05
Wisconsin Administrative Code

EI.Bd. 6.05

1. Findings of fact:

The State Elections Board finds that because of the time required for development of the software necessary to implement electronic filing of campaign finance reports, electronic filing will not be available until after July 1, 1999. . The amendment to the rule eliminates optional electronic filing between January 1, 1999 and July 1, 1999 and requires registrants who file a report electronically to file electronically thereafter. The Elections Board finds that the rule's list of reports that may be filed electronically inadvertently failed to include several reports that may be filed electronically and ought to be added to the rule's list.

The Elections Board also finds that the legislature has directed it to promulgate rules to regulate campaign finance reporting and to ensure the proper administration of that reporting. The Board finds that a rule authorizing and requiring electronic filing of campaign finance reports will facilitate compliance with Wisconsin's campaign finance law and the public's and the reporting of campaign finance activity.

Finally, the Board finds that a public hearing is not required by the statutes, and that a public hearing has neither been requested nor is necessary to the creation of this rule.

2. Conclusion and recommended action:

The State Elections Board unanimously concludes that ch. EIBd. 6.05 should be amended. The amendment of this rule is necessary to preclude voluntary electronic filing before July 1, 1999 and to amplify which campaign finance reports may be filed electronically after July 1, 1999. The rule is also necessary to require those who file electronically to continue to file electronically thereafter. The Board recommends promulgation of this rule.

3. Explanations of modifications to the proposed rule:

The State Elections Board makes no substantive modifications to this rule.

4. List of persons appearing at the public hearing:

No public hearing was held. The rule was submitted pursuant to the 30-day notice procedure of s.227.16(2)(e), Stats. No person who will be affected by the rule filed a petition for a public hearing within the 30-day period provided by that statute.


5. Response to Legislative Council staff report:

The State Elections Board adopts the Legislative Council's staff's comments and has incorporated the suggested changes in the rule with no exceptions.

Respectfully submitted,

May 25, 1999

STATE ELECTIONS BOARD



George A. Dunst
Legal Counsel

WISCONSIN ADMINISTRATIVE CODE

STATE ELECTIONS BOARD

SECTION 1. s.EIBd. 6.05(2), (3), (4), and (6) are amended to read:

ELBD 6.05 FILING CAMPAIGN FINANCE REPORTS IN ELECTRONIC FORMAT

- (2) Beginning with any campaign finance report filed on or after ~~January 1, 1999~~, covering activity on or after July 1, 1999, any registrant who files with the state elections board and who accepts contributions or makes disbursements in a total amount or value of \$20,000 or more during a campaign period shall file each campaign finance report that is required to be filed by Chapter 11, Stats., in an electronic format.
- (3) ~~Beginning with the Fall 1998 preprimary report, covering activity from July 1, 1998, through the close of the reporting period, any~~ Any registrant not required to file reports electronically may elect to file any campaign finance report in an electronic format.
- (4) Any campaign finance report filed in an electronic format shall be transmitted in time to be received by the filing officer no later than the time provided by law for filing the report. Any registrant who files a campaign finance report electronically shall, thereafter, file electronically all campaign finance reports required to be filed by the registrant.
- (6) Each registrant who files a report in an electronic format shall file, with the filing officer, a paper copy of the report that complies with the format set forth in Forms EB-2, EB-2a, EB-3, EB-4, EB-7, EB-10, EB-10a, EB-12 or EB-24. The paper copy of the report shall be signed by an individual authorized by the registrant to file and filed no later than the time prescribed by law for filing the report.