STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
DOA-2049 (R03/2012)

DIVISION OF EXECUTIVE BUDGET AND FINANCE
101 EAST WILSON STREET, 10TH FLOOR
P.O. BOX 7864
MADISON, WI 53707-7864
FAX: (608) 267-0372

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis
☒ Original   ☐ Updated   ☐ Corrected

2. Administrative Rule Chapter, Title and Number
ETH 6 – Procedure

3. Subject
The procedures by which candidates, political parties, and other registrants file various documents with the Ethics Commission.

4. Fund Sources Affected
☐ GPR   ☐ FED   ☐ PRO   ☐ PRS   ☐ SEG   ☐ SEG-S

5. Chapter 20, Stats. Appropriations Affected
N/A

6. Fiscal Effect of Implementing the Rule
☒ No Fiscal Effect   ☐ Increase Existing Revenues   ☐ Increase Costs
☐ Indeterminate   ☐ Decrease Existing Revenues   ☐ Could Absorb Within Agency's Budget
                                                               ☐ Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)
☐ State's Economy   ☐ Specific Businesses/Sectors
☐ Local Government Units   ☐ Public Utility Rate Payers
                                     ☐ Small Businesses **(if checked, complete Attachment A)**

8. Would Implementation and Compliance Costs Be Greater Than $20 million?
☐ Yes   ☒ No

9. Policy Problem Addressed by the Rule
The proposed rule will amend or remove portions of Chapter ETH 6 that do not apply to the Ethics Commission. There is no new policy being proposed, only updating by way of amending or repealing sections of the chapter so they are consistent with 2015 Acts 117 and 118.

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.
N/A

11. Identify the local governmental units that participated in the development of this EIA.
N/A

12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)
The Commission finds that the proposed rule will have no economic impact on small businesses.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule
Promulgating the rule would provide certainty to the regulated community as to the procedures by which they can file various documents with the Ethics Commission and prevent confusion as to whether the Ethics or Elections Commission should receive various documents.

The alternative would be to not amend the rule. Such inaction could confuse candidates, political parties, and other registrants as to which Commission is the proper recipient of a given document.

14. Long Range Implications of Implementing the Rule
Promulgating the rule would permit the Ethics Commission to avoid confusion with the subject matter now controlled by the Elections Commission.

15. Compare With Approaches Being Used by Federal Government
The FEC requires a committee to file all reports and statements electronically if their total contributions or expenditures exceed $50,000 in a calendar year. 11 CFR 104.18. The FEC does not permit filing by fax. All filings must either be

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filed electronically, by mail, or by hand-delivery.

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16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois: The Campaign Disclosure Guide published in 2016 states that reports may be submitted facsimile so long as the original record of the document and transmission date are retained by the filer. Neither the Illinois Campaign Disclosure Act of 2016, nor rules of the Illinois State Board of Elections address informal advice given from staff to interested parties.

Iowa: All filing reports are permitted to be sent by facsimile transmission, electronic mail, United States postmark or by hand so long as they are received prior to the due date. IOWA CODE § 68.402(1). In practice the Board issues informal advice on a regular basis and issues declaratory orders when a formal petition is submitted to the Board regarding the applicability of statutes, policies decisions, or orders. IOWA ADMIN. CODE r. 351—12.7(1).

Michigan: State law requires committees that received or expended $5,000 in the preceding calendar year to file all statements and reports electronically. MICH. COMP. LAWS § 169.218. Staff may issue advice within the parameters of declaratory rulings and interpretive statements already issued at the discretion of the Secretary of State. For matters outside of declaratory rulings, interested persons must submit a request for a new ruling. MICH. COMP. LAWS § 169.215(2).

Minnesota: All campaign finance filings are required electronically, unless a waiver is granted by the Campaign Finance and Public Disclosure Board. Filing electronically allows automatic rejection if filings, reports and registrations are incomplete or incorrect. MINN. STAT. § 10A.025 (2016). Filing by facsimile or electronic transmission has the same force as an original paper document, however the filer is required to maintain an original copy with the date of transmission. MINN. R. 4501.0500 (2006).

17. Contact Name	18. Contact Phone Number
David P. Buerger	(608) 267-0951

This document can be made available in alternate formats to individuals with disabilities upon request.

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ATTACHMENT A

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

☐ Less Stringent Compliance or Reporting Requirements
☐ Less Stringent Schedules or Deadlines for Compliance or Reporting
☐ Consolidation or Simplification of Reporting Requirements
☐ Establishment of performance standards in lieu of Design or Operational Standards
☐ Exemption of Small Businesses from some or all requirements
☐ Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)
☐ Yes   ☐ No