

ORDER
OF THE
STATE ELECTIONS BOARD

To amend ElBd. 2.07(4), (5), and (6), relating to challenges to nomination papers.

Analysis

This rule interprets ss.8.07, 5.05(3), and 5.06, Stats., that require the elections board to provide the standards to be used by all election officials in determining the validity of nomination papers. These standards apply to the elections board and to the filing officers in all counties, cities, villages, towns, school districts, and all other districts.

Pursuant to the authority vested in the state of Wisconsin elections board by ss.8.07, 5.05(1)(f), and 227.11(2)(a), Stats., the elections board hereby proposes to amend its rule interpreting ss.8.07, 8.10, 8.15, 8.20, 8.50, 120.06, and 120.43, Stats., as follows:

SECTION 1. ElBd 2.07(4), (5), and (6) are amended to read:

(4) The board shall examine any evidence offered by the parties when reviewing the complaint- filed against a candidate running for a state office, and the local filing officer shall examine any evidence offered by the parties when reviewing the complaint filed against a candidate for a local office.

(5) Where it is alleged that the signer or circulator of a nomination paper does not reside in the district in which the candidate being nominated seeks office, or the county stated on the nomination paper, the board for a candidate for a state office and the local filing officer for a candidate for a local office may attempt to ascertain the geographical location of an address indicated on a nomination paper by reviewing district maps, or consulting with the postmaster or other public officials as the board or the local filing officer deems appropriate.

(6) Where a challenged petition does not contain an indication that a notary commission expires at a time certain, or is of a permanent nature, the staff of the state elections board or the local filing officer shall contact the secretary of state to determine the validity of the notary commission.

Initial Regulatory Flexibility Analysis

The amendments to this rule do not affect business.

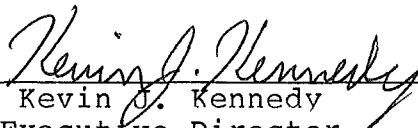
Fiscal Estimate

These amendments have no fiscal effect.

Effective Date

The amendment of this rule takes effect on the first day of the month following its publication in the Wisconsin administrative register under s.227.22(2), Stats.

Dated: September 30, 1986



Kevin J. Kennedy
Executive Director
State Elections Board