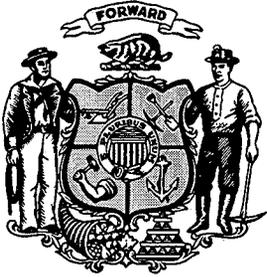




# State of Wisconsin \ Elections Board



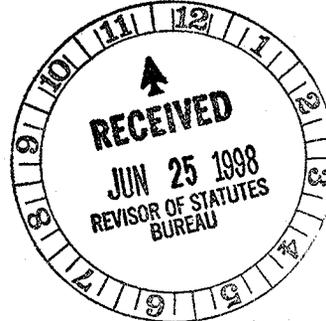
DAVID HALBROOKS  
CHAIRPERSON



June 25, 1998

P.O. Box 2973  
132 EAST WILSON STREET  
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Kevin J. Kennedy  
Executive Director



ORDER

OF

## STATE ELECTIONS BOARD

To create ElBd 6.05 relating to filing campaign reports by electronic transmission

### ANALYSIS:

Statutory authority: ss.5.05(1)(f) and 227.11(2)(a)

Statutes interpreted: ss.11.06(1)(intro.), 11.12(5), 11.12(6), 11.21(1), 11.21(2), 11.21(9), 11.21(16), 11.23(6), 11.31(6) and 20.510(1)(i)

This rule interprets ss.11.06(1)(intro.), 11.12(5), 11.12(6), 11.21(1), 11.21(2), 11.21(9), 11.21(16), 11.23(6), 11.31(6) and 20.510(1)(i), Stats. The rule provides standards for those registrants who are required to file campaign finance reports in electronic format and those registrants who may elect to file campaign finance reports in electronic format. The rule requires the registrant to use the Elections Board's software or use software that is compatible with the Board's campaign finance data base. The rule further requires registrants who file electronically to also file a hard copy of their reports.

Pursuant to the authority vested in the State of Wisconsin Elections Board by ss.5.05(1)(f) and 227.11(2)(a), Stats., the Elections Board hereby creates Rule ElBd 6.05 interpreting ss.11.06(1)(intro.), 11.12(5), 11.12(6), 11.21(1), 11.21(2), 11.21(9), 11.21(16), 11.23(6), 11.31(6) and 20.510(1)(i), Stats., as follows:

SECTION 1. ElBd 6.05 is created to read:

### ELBD 6.05 FILING CAMPAIGN FINANCE REPORTS IN ELECTRONIC FORMAT

Definitions: As used in this rule:

- (a) "Campaign period" for a candidate, personal campaign committee or support committee has the same meaning as provided in s.11.26(17), Stats., and for any other registrant begins on January 1 of an odd-numbered year and ends on December 31 of the following year.

(b) "Contribution" has the same meaning as provided in s.11.01(6), Stats.

(c) "Electronic format" means computer diskette, modem, or other means of electronic transfer, using either software designated by the board or software that meets the board's specifications for a standard file format.

(d) "Filing officer" means the state elections board.

(e) "Registrant" has the same meaning as provided in s.11.01(18m), Stats.

(f) "Report" means any filing required by ss.11.05, 11.06, 11.12(5) and (6), 11.20, and 11.23, Stats.

(2) Beginning with any campaign finance report filed on or after January 1, 1999, covering activity on or after January 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 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.

(5) If a registrant uses its own software to file electronically, its software must generate a report in a format that is compatible with the Board's campaign finance data base. A registrant using its own software must submit a trial report to the board before the end of the report period to determine if the software can generate a report in a format that is compatible with the board's campaign finance data base.

(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-3, EB-7, EB-10, 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.

INITIAL REGULATORY FLEXIBILITY ANALYSIS:

EIBd 6.05 Order  
June 24, 1998  
Page 3

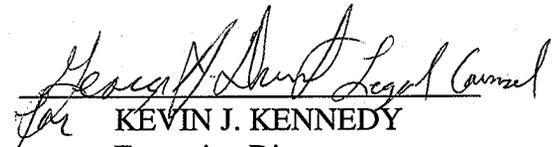
The creation of this rule does not affect business.

FISCAL ESTIMATE:

The creation of this rule has no fiscal effect.

The creation of this rule will take effect on the first day of the month following its publication in the Wisconsin Administrative Register pursuant to s.227.22(2), Stats.

Dated June 24, 1998

  
\_\_\_\_\_  
KEVIN J. KENNEDY  
Executive Director  
State Elections Board

# State of Wisconsin \ Elections Board



**DAVID HALBROOKS**  
CHAIRPERSON

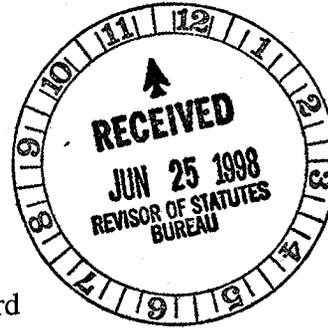


June 23, 1998

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**Kevin J. Kennedy**  
Executive Director

Gary Poulson  
Deputy Revisor  
Revisor of Statutes Bureau  
131 West Wilson Street, Room 800  
Madison, Wisconsin 53703-3233



Re: Administrative Rules of the State Elections Board

Dear Mr. Poulson:

This letter is to inform you of the status of the creation and promulgation of Elections Board rules EIBd 6.05, contained in Clearinghouse Rule 98-051. This rule was promulgated pursuant to the 10-day notice procedure.

A hearing on the proposed rule was held on May 13, 1998. No one appeared for the purpose of making comment on or suggesting revisions to the rule. The legislative council reviewed and commented about each rule and those comments are reflected in the rules. After submitting these rules to both houses of the legislature on May 15, 1998, both houses took no action on these rules within the appropriate 30-day period.

The Board, through its Executive Director, Kevin J. Kennedy, has ordered the appropriate action on these rules. The original and a copy of the Board's orders for each rule are enclosed.

Please publish these at your earliest convenience to become effective according to their terms.

Sincerely,

**STATE ELECTIONS BOARD**

George A. Dunst  
Legal Counsel

GAD/tg