

ORDER
OF THE
STATE ELECTIONS BOARD

To repeal ElBd 1.40, relating to timely registration requirements.

Analysis

This rule interprets s. 11.05 (6), Stats., which generally limits the right of a person, committee, or group subject to a registration requirement to make any contribution or disbursement from campaign funds received before registering. This section in particular and the law in general did not specify before July 1, 1980, when the person, committee, or group was required to register. The Board thus specified in this rule the time for registration. After July 1, 1980, the legislature also specified the time for registration in s. 11.05 (12), Stats., which essentially codified this rule. The legislature's adoption of s. 11.05 (12), Stats., superceded this rule and made it unnecessary. This rule, therefore, may be repealed to eliminate any confusion about the time to register provided in s. 11.05 (12), Stats., and the time provided in this rule.

Pursuant to the authority vested in the state of Wisconsin elections board by s. 227.014 (2)(a), Stats., the elections board hereby proposes to repeal its rule interpreting s. 11.05 (6), Stats., as follows:

SECTION 1. ElBd 1.40 is repealed.

Initial Regulatory Flexibility Analysis

The repeal of this rule does not affect business.

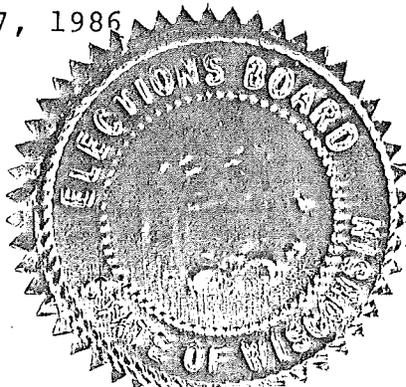
Fiscal Estimate

This repeal has no fiscal effect.

Effective Date

The repeal of this rule takes effect on the first day of the month following its publication in the Wisconsin administrative register under s. 227.026 (1)(intro.), Stats.

Dated March 17, 1986



Kevin J. Kennedy
Kevin J. Kennedy
Executive Secretary
State Elections Board

ORDER
OF THE
STATE ELECTIONS BOARD

To amend ElBd 1.55, relating to the reimbursement for the campaign use of state vehicles.

Analysis

This rule interprets s. 11.37, Stats., that essentially authorizes a person to use any state owned vehicle or aircraft primarily for campaign purposes as long as the person pays the state a fee prescribed by the secretary of administration. When the Board initially interpreted this statute as provided in this rule, the rule provided that such a person reimburse the state for the use of such a vehicle by paying a mileage fee. In 1980, the legislature changed the fee to an amount equal to the commercial market rate when the legislature adopted 1979 c. 221, sec. 1w, effective April 30, 1980. This legislative change made this rule an incorrect interpretation of the law. This amendment, therefore, conforms the rule to present law by providing that such a person reimburse the state for the use of such a vehicle at a commercial market rate.

Pursuant to the authority vested in the state of Wisconsin elections board by s. 227.014 (2)(a), Stats., the elections board hereby proposes to amend its rule interpreting s. 11.37, Stats., as follows:

SECTION 1. ElBd 1.55 is amended to read:

ElBd 1.55 REIMBURSEMENT FOR CAMPAIGN USE OF STATE VEHICLES.

Whenever a state vehicle is used primarily for the purposes of campaigning in support of or in opposition to a candidate, there must be paid to the state treasurer ~~the mileage fees specified in s. 20.916 (4)(a), Stats., or in the case of aircraft, an equitable fee determined by the secretary of administration~~ a fee prescribed by the secretary of the department of administration which is comparable to the commercial market rate for a vehicle or aircraft of similar design. The obligation, if any, to reimburse the state shall be included on the campaign finance report covering the period during which the obligation was incurred.

Initial Regulatory Flexibility Analysis

The amendment of this rule does not affect business.

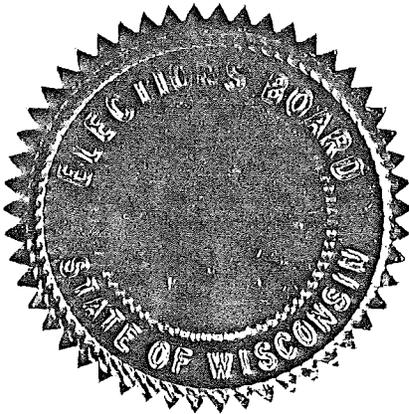
Fiscal Estimate

This amendment has 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. 227.026 (1)(intro.), Stats.

Dated March 17, 1986





Kevin J. Kennedy
Executive Secretary
State Elections Board

AMENDED
ORDER
OF THE
STATE ELECTIONS BOARD

To amend, renumber, and create ElBd 8.03, relating to the titles of forms.

Analysis

This rule interprets s. 11.21 (1), Stats., that requires the elections board to prescribe the forms for making the reports, statements, and notices required by the campaign finance law. The board has adopted fourteen forms, which are identified in this rule.

Pursuant to the authority vested in the state of Wisconsin elections board by s. 227.014 (2)(a), Stats., the elections board hereby proposes to amend and renumber its rule interpreting s. 11.21 (1), Stats., as follows:

SECTION 1. ElBd 8.03 ^{(1) to (4)} is amended to read:

ElBd 8.03 TITLES OF CAMPAIGN FINANCE FORMS. (1) Campaign Finance Registration Statement (EB-1).

(2) Campaign Financial Finance Report (EB-2).

(3) ~~Special Report of Late Contribution (EB-3)~~ Campaign Finance Report, short form, (EB-2a).

(4) ~~Political Party Committee Report of Contributions (EB-4)~~ Campaign Finance Report, local candidates, (EB-2L).

SECTION 2. ElBd 8.03 ^{(8) and (10) to be (10) and (13)} is renumbered and amended to read:

~~(8)~~(10) Corporate Financial Finance Report (EB-12).

~~(10)~~(13) Report on use of Grant from Wisconsin Election Campaign Fund (EB-2425).

SECTION 3. ElBd 8.03 ^{(5) to (7) and (9) to be (6) (7) (9) and (11)} is renumbered to read:

~~(5)~~(6) Supplementary Oath for Voluntary Committees and Individuals (EB-6).

~~(6)~~(7) Election Fraud (EB-7).

~~(7)~~(9) Corporate Registration Statement (EB-11).

~~(9)~~(11) Application for Grant from Wisconsin Election Campaign Fund (EB-23).

(5), (8), (12) and (14)

SECTION 4. ElBd 8.03¹ is created to read:

(5) Special Report of Late Contribution (EB-3).

(8) Report of Independent Expenditures (EB-9).

(12) Campaign Finance Report, Wisconsin election campaign fund (EB-24).

(14) Withdrawal of Application from Wisconsin election campaign fund (EB-26).

Initial Regulatory Flexibility Analysis

The amendment and renumbering of this rule does not affect business.

Fiscal Estimate

This amendment and renumbering has no fiscal effect.

Effective Date

The amendment and renumbering of this rule takes effect on the first day of the month following its publication in the Wisconsin administrative register under s. 227.026 (1)(intro.), Stats.

Dated April 2, 1986



Kevin J. Kennedy
Executive Secretary
State Elections Board



State of Wisconsin \ ELECTIONS BOARD

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THIRD FLOOR
MADISON, WISCONSIN 53702
(608) 266-8005

RON MONAT
CHAIRMAN

Kevin J. Kennedy
Executive Secretary

March 17, 1986

RECEIVED

MAR 18 1986

Revisor of Statutes
Bureau

Mr. Gary L. Poulson
Assistant Revisor
Revisor of Statutes Bureau
411 West, State Capitol
Madison, WI 53702

Dear Mr. Poulson:

This letter informs you about the status of the proposed action on several administrative rules of the Elections Board.

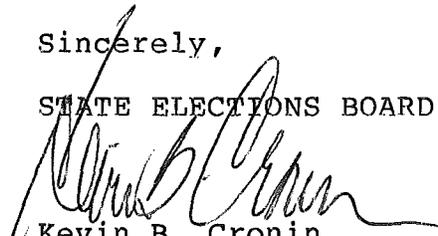
The rules are ElBd 1.30, 1.31 (3), 1.37, 1.40, 1.55, and 8.03. As to each rule, no petition under s.227.02(1)(e), Stats., was filed with the Board within 30 days to request a public hearing for any one of these rules. The legislative council reviewed and commented about the rules. The appropriate senate and assembly committees took no action after reviewing these rules about January 17, 1986. Based on this, the Board through its executive secretary, Kevin J. Kennedy, entered an order for each rule. The original and a copy of Board's orders are enclosed. Please publish them at your earliest convenience to become effective according to the terms of the orders.

If you have any questions, please contact me.

Thank you for your cooperation.

Sincerely,

STATE ELECTIONS BOARD



Kevin B. Cronin
Legal Counsel

Enclosures