Clearinghouse Rule 97-148

CERTIFICATE

State of Wisconsin)Department of Financial Institutions)ss.Division of Securities)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Patricia D. Struck, Administrator of the Department of Financial Institutions, Division of Securities and custodian of the official records of the Division, do hereby certify that the annexed rule repeals under Chs. 551, 552 and 553, Wis. Stats., the Wisconsin Uniform Securities Law, relating to repeal of Division photocopying rules, were duly approved and adopted by the Division on March 11, 1998.

I further certify that this copy has been compared by me with the original on file in this Division and that it is a true copy of the original and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Financial Institutions, Division of Securities in the City of Madison, this 1/4 day of Malon, 1998.

[SEAL]

Patricia D. Struck Administrator Division of Securities



97-148

5-1-58

03/10/98 4:20 PM 98059RS

FINAL ORDER OF THE DEPARTMENT OF FINANCIAL INSTITUTIONS DIVISION OF SECURITIES REPEALING RULES

To repeal DFI-Sec 7.01(6), 27.01(5) and 35.01(4), Wis. Adm. Code, relating to Division photocopying fee charges.

Analysis Prepared by the Department of Financial Institutions, Division of Securities

Statutory Authority: ss. 551.63(1), 552.13(2) and 553.58(1), Stats.

Summary of Rule Changes:

The objective of the rule-making is to repeal the Division's existing rules prescribing photocopying charges because the Department of Financial Institutions is establishing a Department-wide photocopying fee policy applicable to all Divisions of the Department. The Division has had existing rules in place for several years under the securities, take-over and franchise laws [in DFI-Sec 7.01(6), 27.01(5) and 35.01(4)] providing for photocopying fees at a rate of \$.25 per page for the first 10 pages and \$.10 per page thereafter. Because of the recent reorganization whereby the Division became part of the Department of Financial Institutions which has several other constituent Divisions, it is appropriate to repeal the Division's photocopying fee rules because DFI is establishing a single, Department-wide photocopying fee of \$.25 per page (for each and every page copied) that is applicable to all DFI Divisions.

Text of Rules

SECTION 1. DFI-Sec 7.01(6) is repealed. SECTION 2. DFI-Sec 27.01(5) is repealed. SECTION 3. DFI-Sec 35.01(4) is repealed.

* * * *

The rules and amendments contained in this Order shall take effect as provided in s. 227.22(2)(intro.), Stats., on the first day of the month following the date of publication in the Wisconsin Administrative Register.

DATED this 1142 day of march, 1998.

[SEAL]



03/10/98 3:32 PM 98056RS

REPORT PREPARED BY THE DEPARTMENT OF FINANCIAL INSTITUTIONS DIVISION OF SECURITIES RELATING TO THE FINAL FORM OF REPEAL OF RULES DFI-Sec 7.01(6), 27.01(5) and 35.01(4), WIS. ADM. CODE

(a) <u>Statement Explaining Need for Rule Repeals</u>

These repeals of the Division's existing rules prescribing photocopying charges are necessary because the Department of Financial Institutions (which includes several Divisions in addition to the Division of Securities) is establishing a Department-wide photocopying fee policy (with fees differing from the Division of Securities photocopying fees currently prescribed by rule) applicable to all Divisions of the Department.

(b) <u>Explanation of Modifications Made as a Result of Public Comment Letters and</u> <u>Hearing Testimony</u>

Not Applicable – No hearing was required to be held pursuant to use of the 30-day notice rule-making procedure under sec. 227 16(2)(e), Wis. Stats., because no petition for hearing was received from any person, municipality or association during the 30-day period following publication of the proposed rule repeals in the November, 1997 end-of-month Wisconsin Administrative Register.

(c) List of Persons Appearing or Registering at Public Hearing

None – No hearing was required to be held.

(d) Response to Legislative Council/Rules Clearinghouse Report Recommendations

None – No recommendations for changes were made by the Legislative Council/Rules Clearinghouse in its Report.

(e) No final regulatory flexibility analysis is included on the basis that the Division of Securities has determined that the proposed rule amendments will not have a significant economic impact on a substantial number of small businesses.

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WISCONSIN LEGISLATIVE COUNCIL STAFF



MAR **11** 1998 Revisor of statutes Bureau

RULES CLEARINGHOUSE

Ronald Sklansky Director (608) 266–1946

Richard Sweet Assistant Director (608) 266–2982



David J. Stute, Director Legislative Council Staff (608) 266–1304

One E. Main St., Ste. 401 P.O. Box 2536 Madison, WI 53701-2536 FAX: (608) 266-3830

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 97–148

AN ORDER to repeal DFI-Sec 7.01 (6), 27.01 (5) and 35.01 (4), relating to division photocopying fee charges.

Submitted by **DEPARTMENT OF FINANCIAL INSTITUTIONS**

- 11–28–97 RECEIVED BY LEGISLATIVE COUNCIL.
- 12–17–97 REPORT SENT TO AGENCY.

RNS:DLS:kjf

Clearinghouse Rule No. 97–148 Form 2 – page 2

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1.	STATUTORY AUTHORITY	[s. 227.15 (2) (a)]		
	Comment Attached	YES	NO 🖊	n an
2.	FORM, STYLE AND PLACE	EMENT IN ADMINIS	TRATIVE CODE [s. 227.15 (2)	(c)]
	Comment Attached	YES	NO 🖊	
3.	CONFLICT WITH OR DUPL	ICATION OF EXIST	NG RULES [s. 227.15 (2) (d)]	
5.	Comment Attached	YES	NO 🖌	n de la composition d La composition de la c
4.	ADEQUACY OF REFERENC [s. 227.15 (2) (e)]	CES TO RELATED ST	TATUTES, RULES AND FORM	S
	Comment Attached	YES	NO 🖌	
5.	CLARITY, GRAMMAR, PUN	ICTUATION AND US	SE OF PLAIN LANGUAGE [s.	227.15 (2) (f)]
	Comment Attached	YES	NO 🖌	
6.	POTENTIAL CONFLICTS W REGULATIONS [s. 227.15 (2		ABILITY TO, RELATED FEDI	BRAL
	Comment Attached	YES	NO 🖌	Alton Balance and Congress
7.	COMPLIANCE WITH PERM	IIT ACTION DEADL	INE REQUIREMENTS [s. 227.]	.5 (2) (h)]
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State of Wisconsin Department of Financial Institutions

Tommy G. Thompson, Governor

Richard L. Dean, Secretary

March 11, 1998

Office of the Secretary of State 30 W. Mifflin St. Madison, WI 53703

Revisor of Statutes Bureau
131 W. Wilson St., Ste. 800
Madison, WI 53703-3233

Re: Filing of Certified Copies of Final Order Adopting Rules/Clearinghouse Rule 97-148

Gentlemen and Mesdames:

Pursuant to the requirements of ss. 227.20, Wis. Stats., a certified copy is herewith filed with each of your offices of the above-referenced Final Order Adopting Rules in the form prescribed by sec. 227.14, Wis. Stats. The Final Order Adopting Rules was signed and issued by this Division on March 11, 1998.

Also attached is a copy of the Report prepared by this Division relating to the final rules, together with a copy of a fiscal estimate relating to the rules, and a copy of the Wisconsin Legislative Council Rules Clearinghouse Report.

If you have any questions, please call me at 266-3414.

Very-truly yours,

Randall E. Schumann Legal Counsel for the Division

RES:gat

Enclosures (5)

cc: David Anderson, DFI Executive Assistant Patricia D. Struck, DFI/DOS Administrator

03/10/98 4:18 PM 98058RS



