

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

Original    Updated    Corrected

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2. Administrative Rule Chapter, Title and Number

ETH 25 – Forms

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3. Subject

Forms prescribed by the Ethics Commission.

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4. Fund Sources Affected

GPR    FED    PRO    PRS    SEG    SEG-S

5. Chapter 20, Stats. Appropriations Affected

N/A

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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

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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)**

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8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes    No

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9. Policy Problem Addressed by the Rule

The proposed rule repeals Chapter ETH 25 in its entirety. The Ethics Commission is not required to prescribe its forms by rule. Maintaining a list of forms in administrative rule is cumbersome and unnecessary.

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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

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

N/A

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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.

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13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

Promulgating the rule would simply remove the list of campaign finance forms and ethics forms from the administrative code. The Commission would continue to prescribe forms necessary for the administration of Chapter 11, subchapter III of Chapter 13, and subchapter III of Chapter 19; and make such forms available on its website and its office. No new policy is being proposed.

The alternative would be to either leave the rule as it currently exists or amend it to bring it up to date with current forms prescribed by the Commission. Leaving the rule as it currently exists could confuse the regulated community as the rule is significantly out of date and references forms that are no longer in use. Amending the rule to bring it up to date is possible, but not ideal due to cumbersome nature of the administrative rulemaking process.

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14. Long Range Implications of Implementing the Rule

Promulgating the rule would permit the Commission to prescribe forms as necessary to comply with Chapter 11, subchapter III of Chapter 13, and subchapter III of Chapter 19; without engaging the rulemaking process.

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15. Compare With Approaches Being Used by Federal Government

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Federal Election Commission has the duty to prescribe rules, regulations and forms to carry out provisions of the Federal Election Campaign Act. 52 U.S.C. § 30111. There is no existing or proposed regulation that is intended to address the prescription of specific forms.

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

Illinois: The State Board of Elections publishes official forms but no statute, administrative rule, or code prescribes such forms. Ill. Admin. Code tit. 26 § 100.20.

Iowa: Requires the Iowa Ethics and Campaign Finance Disclosure Board make all necessary forms available but no statute, administrative rule, or code prescribes such forms. Iowa Code § 68.201.

Michigan: Designated forms are determined at the discretion of the Secretary of State which oversees campaign finance disclosure and lobbying activities, but no statute, administrative rule, or code prescribes such forms. Mich. Comp. Laws § 169.218.

Minnesota: Requires reports and statements to be submitted on electronic forms provided by the Campaign and Public Disclosure Board, unless a waiver for paper forms has been approved. There is no statute, administrative rule or code which prescribes such forms. Minn. R. 4501.0500 (2006).

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17. Contact Name

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18. Contact Phone Number

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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
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