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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on ... Veterans, Homeland Security,
Military Affairs, Small Business and Government
Reform (SC-VHSMASBGR)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

December 2, 2005

EXECUTIVE SESSION HELD*

*** - POLLING**

Moved by Moved by the Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform that **Senate Amendment 1 (LRBa1336)** be recommended for adoption.

Ayes: (5) Senators Brown, Zien, Kanavas, Breske and Wirch.

Noes: (0) None.

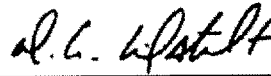
ADOPTION OF SENATE AMENDMENT 1 (LRBA1336)
RECOMMENDED, Ayes 5, Noes 0

Moved by the Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform that **Senate Bill 150** be recommended for passage as amended.

Ayes: (5) Senators Brown, Zien, Kanavas, Breske and Wirch.

Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 5, Noes 0



Daniel Lindstedt
Committee Clerk

SENATE BILL 150 (LRB -2179)

An Act to repeal 227.114 (7); to amend 227.114 (5), 227.115 (2), 227.116 (4) (intro.) and (5), 227.135 (1) (e), 227.135 (2) and (3), 227.137 (2) (intro.), 227.138 (2) (intro.), 227.14 (2) (a) (intro.), 227.14 (2) (a) 4., 227.14 (2g) (intro.), 227.14 (2m), 227.14 (4m), 227.15 (1m) (intro.), 227.17 (2), 227.17 (3) (d), 227.19 (2), 227.19 (3) (intro.), 227.19 (4) (b) 1. (intro.), 227.19 (4) (b) 2., 227.19 (4) (b) 6., 227.19 (4) (c), 227.19 (5) (a), 227.19 (5) (b) 1. (intro.), 227.19 (5) (b) 2., 227.19 (5) (b) 4., 227.19 (5) (e), 227.19 (5) (g) (intro.), 227.19 (6) (b), 227.20 (1), (2), and (3) (intro.), 227.21 (2) (b), 227.22 (2) (e), 227.24 (2) (am), 227.24 (2) (c), 227.24 (3m) (intro.), 227.25 (3), 227.26 (2) (f), 227.26 (2) (h), 227.26 (2) (j), 227.27 (2), 227.30 (1), 227.30 (3), 227.40 (2) (f) and 601.41 (3) (b); and to create 227.14 (2) (a) 7. and 8., 227.14 (6) (d), 227.19 (3) (g), 227.19 (3) (h), 227.19 (4) (b) 3m. and 227.26 (2) (L) of the statutes; relating to: making technical and minor substantive changes in the administrative rule-making process.

2005

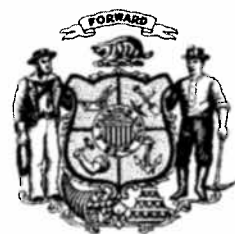
03-30.	S.	Introduced by JOINT LEGISLATIVE COUNCIL .	
03-30.	S.	Read first time and referred to committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform	139
04-14.	S.	Fiscal estimate received.	
04-21.	S.	Public hearing held.	
04-27.	S.	Fiscal estimate received.	
04-27.	S.	Fiscal estimate received.	
11-07.	S.	Senate amendment 1 offered by Senator Brown (LRB a1336)	437
12-02.	S.	Executive action taken.	
12-05.	S.	Report adoption of Senate Amendment 1 recommended by committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform, Ayes 5, Noes 0	475
12-05.	S.	Report passage as amended recommended by committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform, Ayes 5, Noes 0	475
12-05.	S.	Available for scheduling.	

2006

02-01.	S.	Placed on calendar 2-2-2006 by committee on Senate Organization.	
02-02.	S.	Read a second time	575
02-02.	S.	Senate amendment 1 adopted	575
02-02.	S.	Ordered to a third reading	575
02-02.	S.	Rules suspended	575
02-02.	S.	Read a third time and passed	575
02-02.	S.	Ordered immediately messaged	578
02-14.	A.	Received from Senate	808
02-14.	A.	Read first time and referred to committee on State Affairs	808
02-28.	A.	Public hearing held.	
03-02.	A.	Executive action taken.	
03-02.	A.	Report concurrence recommended by committee on State Affairs, Ayes 9, Noes 0	879
03-02.	A.	Referred to committee on Rules	879
03-07.	A.	Placed on calendar 3-9-2006 by committee on Rules.	
03-07.	A.	Made a special order of business at 10:26 A.M. on 3-9-2006 pursuant to Assembly Resolution 51	933
03-09.	A.	Read a second time	945
03-09.	A.	Ordered to a third reading	945
03-09.	A.	Rules suspended	945
03-09.	A.	Read a third time and concurred in	945
03-09.	A.	Ordered immediately messaged	945
03-10.	S.	Received from Assembly concurred in	743
03-15.	S.	Report correctly enrolled on 3-15-2006	747
03-28.	S.	Presented to the Governor on 3-28-2006	757
03-31.	S.	Report approved by the Governor on 3-30-2006. 2005 Wisconsin Act 249	760
04-04.	S.	Published 4-12-2006	762



WISCONSIN STATE LEGISLATURE





WISCONSIN LEGISLATIVE COUNCIL

Terry C. Anderson, Director
Laura D. Rose, Deputy Director

TO: MEMBERS OF THE JOINT LEGISLATIVE COUNCIL

FROM: Ronald Sklansky and Richard Sweet, Senior Staff Attorneys

RE: WLC: 0080/2, Relating to Making Technical and Minor Substantive Changes in the Administrative Rule-Making Process

DATE: March 2, 2005

On May 4, 2004, the co-chairs of the Joint Legislative Council directed the Legislative Council staff to examine current laws relating to the procedures used for the promulgation of administrative rules and to develop proposed legislation that modifies current statutory language, codifies practices used in the process, coordinates statutory changes made in the 2003 Session of the Legislature, and makes minor substantive changes to the law.

In order to fill this request, the Legislative Council staff sought comments from rule-promulgating state agencies, the Chief Clerks of the Legislature, and the Revisor of Statutes. This bill, as described in NOTES accompanying each SECTION, responds to many of the comments the Legislative Council staff received as well as to issues noted by the experience of the Legislative Council staff itself.

The amendments to ch. 227, Stats., as contained in WLC: 0080/2, can be categorized as follows:

1. Amending or eliminating obsolete provisions.
2. Clarifying terminology and correcting cross-references.
3. Streamlining the timing and procedure of the administrative rule-making process.
4. Coordinating and clarifying certain provisions of Wisconsin Acts 118 and 145 that affected ch. 227, Stats.

The bill also contains minor substantive changes that clarify and streamline the process. For example, SECTION 24 provides a new method by which an agency may reconsider a proposed administrative rule. Current law requires that if an agency withdraws a proposed rule from the review process, for whatever reason, it may not promulgate the proposed rule unless it begins the process again with the filing of a new scope statement. SECTION 24 creates a less onerous provision by authorizing an

agency, during the committee review period, to reconsider the proposed rule by recalling it from the Chief Clerk of each house of the Legislature. If the agency decides to continue the rule-making process with regard to the proposed rule, it must resubmit the proposed rule, either in its recalled form or with one or more germane modifications, to the Chief Clerk in each house of the Legislature for the commencement of a new committee review period. An additional example can be found in SECTION 44. This SECTION clarifies and codifies current practice by stating that if the Joint Committee for Review of Administrative Rules suspends an emergency rule, the agency may not submit to the Legislature the substance of the emergency rule as a proposed permanent rule during the time the emergency rule is suspended.

RS:RNS:jal

SB150

SENATE BILL 150

An Act to repeal 227.114 (7); to amend 227.114 (5), 227.115 (2), 227.116 (4) (intro.) and (5), 227.135 (1) (e), 227.135 (2) and (3), 227.137 (2) (intro.), 227.138 (2) (intro.), 227.14 (2) (a) (intro.), 227.14 (2) (a) 4., 227.14 (2g) (intro.), 227.14 (2m), 227.14 (4m), 227.15 (1m) (intro.), 227.17 (2), 227.17 (3) (d), 227.19 (2), 227.19 (3) (intro.), 227.19 (4) (b) 1. (intro.), 227.19 (4) (b) 2., 227.19 (4) (b) 6., 227.19 (4) (c), 227.19 (5) (a), 227.19 (5) (b) 1. (intro.), 227.19 (5) (b) 2., 227.19 (5) (b) 4., 227.19 (5) (e), 227.19 (5) (g) (intro.), 227.19 (6) (b), 227.20 (1), (2), and (3) (intro.), 227.21 (2) (b), 227.22 (2) (e), 227.24 (2) (am), 227.24 (2) (c), 227.24 (3m) (intro.), 227.25 (3), 227.26 (2) (f), 227.26 (2) (h), 227.26 (2) (j), 227.27 (2), 227.30 (1), 227.30 (3), 227.40 (2) (f) and 601.41 (3) (b); and to create 227.14 (2) (a) 7. and 8., 227.14 (6) (d), 227.19 (3) (g), 227.19 (3) (h), 227.19 (4) (b) 3m. and 227.26 (2) (L) of the statutes; relating to: making technical and minor substantive changes in the administrative rule-making process. (FE)

2005

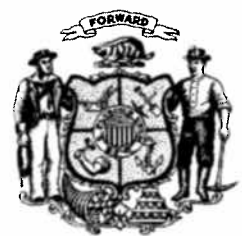
03-30-05. S. Introduced by JOINT LEGISLATIVE COUNCIL.

03-30-05. S. Read first time and referred to committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform. 139

04-14-05. S. Fiscal estimate received.



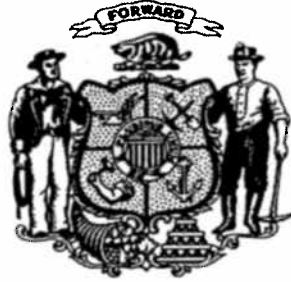
WISCONSIN STATE LEGISLATURE



State of Wisconsin
JOINT LEGISLATIVE COUNCIL

Co-Chairs
ALAN LASEE
President, State Senate

STEVE WIECKERT
Representative, State Assembly



LEGISLATIVE COUNCIL STAFF
Terry C. Anderson
Director
Laura D. Rose
Deputy Director

TO: MEMBERS OF THE SENATE COMMITTEE ON VETERANS AFFAIRS
FROM: Terry C. Anderson, Director *TCA*
RE: Hearing on 2005 Senate Bill 150
DATE: April 18, 2005

Senate Bill 150 is scheduled to be considered by your committee at its meeting which will be held on *Thursday, April 21, 2005, beginning at 12:00 p.m., in Room 201 Southeast, State Capitol.*

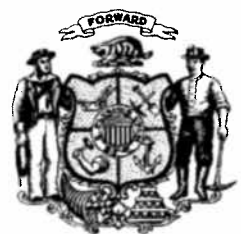
Enclosed, for your information, is a copy of a memorandum, *WLC: 0080/2, Relating to Making Technical and Minor Substantive Changes in the Administrative Rule-Making Process*, dated March 2, 2005. This memorandum gives an overview of this bill, as it was presented to the Joint Legislative Council for its approval earlier in March.

If you have any questions relating to the above, please feel free to contact Ron Sklansky, Senior Staff Attorney, at 266-1946, or Richard Sweet, Senior Staff Attorney, at 266-2982.

TCA:wu
Enclosure



WISCONSIN STATE LEGISLATURE





WISCONSIN

**Statement Before the
Senate Committee on Veterans, Homeland Security and
Military Affairs, Small Business and Government Reform**

By

**Bill G. Smith
State Director
National Federation of Independent Business
Wisconsin Chapter**

**Thursday, April 21, 2005
Senate Bill 150**

Mr. Chairman, and members of the Committee, I appear before the Committee on behalf of the 13,000 members of the NFIB who struggle with the burden of understanding, complying, and paying for the regulations that effect their business.

Last session, the Legislature acted to address the regulatory burden on small business, and passed the most sweeping reforms of the regulatory process in over twenty years, and changing the way that process relates to small business.

The Governor signed the Small Business Regulatory Fairness Act into law about one year ago, the regulatory coordinators have been appointed, the Regulatory Review Board has met, and the Small Business Ombudsman at the Department of Commerce has been working hard with her responsibilities to implement this important new law.

Senate Bill 150, which is described as legislation to recodify and make technical changes in the administrative rule process, would cause serious damage to both the spirit and intent of the 2004 Small Business Regulatory Fairness Act, which has received national attention as a model for the nation.

For example, Senate Bill 150 would exempt emergency rules from the current requirement that the impact of these rules on small business be considered.

As a result, the authority, effectiveness and mission of the Regulatory Review Board is seriously diluted.

Senate Bill 150
Thursday, April 21, 2005
Page Two

This legislation further undermines the Small Business Regulatory Fairness Act by limiting the requirement to analyze the impact of regulations on small business to only those rules that would have an adverse impact. Clearly, this would allow agencies to make judgments and interpretations in complete violation of the intent of the Legislature and the Governor, when the monumental small business regulatory reform legislation was enacted last year.

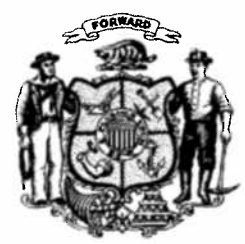
Mr. Chairman, Committee members, there are some changes proposed in this legislation that small business may be able to support. But I hope this committee will give us the opportunity to study the impact of those changes on the 2004 Act 145, before you act on SB 150.

For now, however, I ask members of the committee to oppose this legislation and that you will vote against passage of Senate Bill 150.

Thank you.



WISCONSIN STATE LEGISLATURE



Senate Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform

April 21, 2005
12:00 PM
Room 201, Southeast
State Capitol

AGENDA

I. Call to Order Public Hearing

- a. Call of the Roll
- b. Assembly Bill 79 and Senate Bill 118 (Musser/Leibham)
relating to: authorizing a city or a village to abolish its police department and contract for law enforcement services with a county.
- c. Senate Bill 126 (Roessler/Gottlieb)
relating to: changing the requirements for the publication of city and village ordinances.
- d. Senate Bill 152 (Darling/Jensen)
relating to: an education tax credit for businesses.
- e. Senate Bill 150 (Joint Legislative Council)
relating to: making technical and minor substantive changes in the administrative rule-making process.

→ apology to Rom & Dick

II. Call to Order Executive Session

- a. Call of the Roll
- b. Entertain a motion for passage of:
 - i. Senate Bill 34
relating to: the method of filling vacancies in certain county, city, village, and town elective offices.

Act 185
check w/leg. Council
Bill Smith, Dave Story

III. Miscellaneous Committee Items

- a. Other business/matters before the Committee/Committee members.
- b. Next possible hearing date: Wed., May 4, 2005, prior to session.

IV. Motion to Adjourn

- a. Entertain motion to adjourn.

→ follow-up call to Dave Story see if we can work out differences.

- Emergency Rules impact