

## 2011 DRAFTING REQUEST

### Bill

Received: 10/12/2011

Received By: jkuesel

Wanted: As time permits

Companion to LRB:

For: Jon Richards (608) 266-0650

By/Representing: Christian Moran

May Contact:

Drafter: jkuesel

Subject: Public Records

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Richards@legis.wisconsin.gov

Carbon copy (CC:) to:

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Legislative records retention

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#### Instructions:

Per LRB-2973/1, with permission of Sen. Holperin's office (p/c, Ian Shannon-Bradley, 10/12/11.)

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#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 10/12/2011	kfollett 10/12/2011		_____			
/1			rschluet 10/12/2011	_____	ggodwin 10/12/2011	ggodwin 10/14/2011	

FE Sent For:

*none*

<END>

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12/11	jkuesel 10/12/11	11/5/11 10/12		_____	_____		

FE Sent For: 10/12/11 <END>

**Kuesel, Jeffery**

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To: Moran, Christian  
Subject: FW: LRB-3186 (Legislative records retention)  
Attachments: 11-27731.pdf

Christian,  
Above is your LRB number.

***Jeffery T. Kuesel***  
**Wisconsin Legislative Reference Bureau**  
**P.O. Box 2037**  
**Madison, WI 53701-2037**  
**(608) 266-6778**  
**Jeffery.Kuesel@legis.wisconsin.gov**

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From: Moran, Christian  
Sent: Wednesday, October 12, 2011 12:32 PM  
To: Kuesel, Jeffery  
Cc: Shannon-Bradley, Ian  
Subject: bill drafting request

Jeff,

Please draft Sen. Holperin's LRB-2773/1 as an Assembly bill. This bill relates to management and preservation of records and correspondence of members of the legislature.

Ian Shannon-Bradley of Sen. Holperin's office is copied on this e-mail. If necessary, Ian can confirm with you that Sen. Holperin approved the introduction of an Assembly companion of LRB-2773/1 by Rep. Richards.

In the meantime, could you please send me the LRB # for the Assembly version? We'd like to reference the # in our co-sponsor memo.

Thanks for your help.

Christian

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Christian T. Moran  
Office of Representative Jon Richards  
State Capitol, 118 North  
Madison, WI 53708

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**From:** Sen. Holperin

**Sent:** Tuesday, October 11, 2011 10:58 AM

**To:** \*Legislative Everyone

**Subject:** Co-Sponsorship of LRB-2773/1: Eliminating the Open Records Law Retention Exception for the Legislature

**TO:** All Legislators

**FROM:** Senator Jim Holperin

**RE:** Eliminating the Open Records Law Retention Exception for the Legislature

**DATE:** October 11, 2011

At the request of a newspaper in the 12<sup>th</sup> Senate District, and in an effort to promote transparency in government, I'm introducing a bill that would make open records law retention standards apply to members of the legislature.

Members of the Wisconsin Legislature are currently required to furnish office records to the public upon receiving a reasonable request for information. However, unlike staff at state agencies, members of the legislature are not required to keep e-mails and other office records for a defined amount of time. This bill would remove that exemption and make retention of office records mandatory for legislators and their staff.

See the LRB analysis below for more details.

Co-sponsor this legislation by calling Ian at 266-2509 or replying to this e-mail. Deadline is Wednesday, October 19, 2011.

***Analysis by the Legislative Reference Bureau***

*Currently, the Public Records Board supervises the state's public records management and preservation program and may set retention schedules for public records. Except as specifically authorized by law, no public record may be disposed of without the approval of the board. With the approval of the board and compliance with statutory standards, a state officer or agency may transfer public records to microfilm format, and subject to standards prescribed in rules promulgated by the Department of Administration, may transfer public records to optical disk or electronic format. If applicable standards for transfer of the records are adhered to, records reproductions in the authorized formats have the same status for evidentiary purposes as the original records. In lieu of disposal, the board may transfer selected public records to the State Historical Society for preservation. Currently, none of these records management and preservation procedures apply to records and correspondence of members of the legislature.*

*This bill deletes the current exception for records and correspondence of members of the legislature, thereby making the records and correspondence subject to the public records management and preservation program.*



11-27731.pdf (24  
KB)



State of Wisconsin  
2011 - 2012 LEGISLATURE

-31861  
  
LRB-27731  
JTK:kjf:rs

Fri 10/14

2011 BILL

Regen

1 AN ACT *to repeal* ~~16.61 (2)~~ (b) 1. of the statutes; **relating to:** management and  
2 preservation of records and correspondence of members of the legislature.

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***Analysis by the Legislative Reference Bureau***

Currently, the Public Records Board supervises the state's public records management and preservation program and may set retention schedules for public records. Except as specifically authorized by law, no public record may be disposed of without the approval of the board. With the approval of the board and compliance with statutory standards, a state officer or agency may transfer public records to microfilm format, and subject to standards prescribed in rules promulgated by the Department of Administration, may transfer public records to optical disk or electronic format. If applicable standards for transfer of the records are adhered to, records reproductions in the authorized formats have the same status for evidentiary purposes as the original records. In lieu of disposal, the board may transfer selected public records to the State Historical Society for preservation. Currently, none of these records management and preservation procedures apply to records and correspondence of members of the legislature.

This bill deletes the current exception for records and correspondence of members of the legislature, thereby making the records and correspondence subject to the public records management and preservation program.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***



**Godwin, Gigi**

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**From:** Moran, Christian  
**Sent:** Friday, October 14, 2011 12:59 PM  
**To:** LRB.Legal  
**Cc:** Carpenter, Dan  
**Subject:** Assembly jacket request: LRB-3186/1

Please jacket LRB-3186/1 for introduction in the Assembly. This bill relates to management and preservation of records and correspondence of members of the legislature.

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Christian T. Moran  
Office of Representative Jon Richards  
State Capitol, 118 North  
Madison, WI 53708  
608-266-0650