

TITLE III

General Organization of the State,
Except the Judicial Department

CHAPTER 13

LEGISLATIVE BRANCH

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SUBCHAPTER I
LEGISLATURE

13.01 Number of legislators. The senate consists of 33 and the assembly of 100 members.

History: 1965 c. 659.

13.02 Regular sessions. (1) The legislature shall convene in the capitol on the first Monday of January in each odd-numbered year, at 2 p.m., to take the oath of office, select officers, and do all other things necessary to organize itself for the conduct of its business.

(2) The regular session of the legislature shall commence at 2 p.m. on the first Tuesday after the 15th day of January in each odd-numbered year.

History: 1965 c. 659; 1967 c. 187.

13.03 Oaths of members. The speaker of the assembly, president of the senate, governor, secretary of state, attorney general, any court of record or the clerk thereof, or any justice of the supreme court may administer the oath of office to the members and officers of the legislature. Such oath shall be filed with the secretary of state.

History: 1965 c. 659.

13.04 Legislators' eligibility to other civil office. Any member of the legislature who, during the term for which he was elected, is appointed or elected to any other civil office, the emoluments of which were increased during his term of office as a member of the legislature, shall be eligible to appointment or election to such office but shall be entitled to compensation only at the rate in effect prior to such increase. Any former member of the legislature, who, after expiration of the legislative term for which he was elected, is appointed or elected to any other civil office, shall be entitled to the full statutory compensation and expenses therefor.

History: 1965 c. 659.

Discussion of appointment to and salary of public service commissioner when member of legislature which enacted statutes is given appointment. 52 Atty. Gen. 425.

13.05 Logrolling prohibited. Any member of the legislature who gives, offers or promises to give his vote or influence in favor of or against any measure or proposition pending or proposed to be introduced, in the legislature in consideration or upon condition that any other person elected to the same legislature will give or will promise or agree to give his vote or influence in favor of or against any other measure or proposition pending or proposed to be introduced in such legislature, or who gives, offers or promises to give his vote or influence for or against any measure on condition that any other member will give his vote or influence in favor of any change in any other bill pending or proposed to be introduced in the legislature may be fined not less than \$500 nor more than \$1,000 or imprisoned not less than one year nor more than 3 years or both.

History: 1965 c. 659.

13.06 Executive favor. Any member of the legislature who gives, offers or promises to give his vote or influence in favor of or against any measure or proposition pending or proposed to be introduced in the legislature, or that has already been passed by either house of the legislature, in consideration of or on condition that the governor approve, disapprove, veto or sign, or agree to approve, disapprove, veto or sign, any other measure or proposition pending or proposed to be introduced in the legislature or that has already been passed by the legislature, or either house thereof, or in consideration or upon condition that the governor nominate for appointment or appoint or remove any person to or from any office or position under the laws of this state, may be fined not less than \$500 nor

more than \$1,000 or imprisoned not less than one year nor more than 2 years or both.

History: 1965 c. 659.

13.07 Freedom of debate confirmed. Nothing in ss. 13.05 and 13.06 shall be construed as prohibiting free discussion and deliberation upon any question pending before the legislature by members thereof, privately or publicly, nor as prohibiting agreements by members to support any single measure pending, on condition that certain changes be made in such measure, nor as prohibiting agreements to compromise conflicting provisions of different measures.

History: 1965 c. 659.

13.08 Mileage certificate. The chief clerk of each house, immediately after the commencement of each regular or special session of the legislature, shall certify to the department of administration the names of all qualified members and the number of miles for which each member is entitled to be reimbursed. All such certificates shall be approved by the presiding officer.

History: 1965 c. 659.

13.09 Joint committee on finance. A joint standing committee, to be called the joint committee on finance and to consist of 14 members, 5 from the senate and 9 from the assembly, shall be appointed at the commencement of each session of the legislature. The method of appointment of members in each house shall be governed by the rules thereof. The chairmen may appoint a subcommittee on small appropriations and claims consisting of members chosen from the committee membership. The subcommittee shall meet and hold hearings at the direction of the committee and report its recommendations to the committee. The subcommittee may act on bills not exceeding \$10,000 and claims not exceeding \$2,500.

History: 1965 c. 659.

13.10 Reference of bills to joint committee on finance. (1) All bills introduced in either house of the legislature for the appropriation of money, providing for revenue or relating to taxation shall be referred to the joint committee on finance before being passed.

(2) Any bill making an appropriation and any bill increasing or decreasing existing appropriations, fiscal liability or revenues shall, before any vote is taken thereon by either house of the legislature if the bill is not referred to a standing committee, or before any public hearing is held before any standing committee or, if no public hearing is held,

before any vote is taken by the committee, incorporate as a note a reliable estimate of the anticipated change in appropriation authority, fiscal liability or state revenues under the bill, including to the extent possible a projection of such changes in future biennia. Except as otherwise provided by joint rules of the legislature, such estimates shall be made by the agency receiving the appropriation or collecting the revenue except that fiscal notes on bills which will be referred to the joint survey committee on tax exemptions or the joint survey committee on retirement systems shall be prepared by the appropriate committee. When a fiscal note is prepared after the bill has been introduced, it shall be printed and distributed as are amendments.

History: 1965 c. 659; 1967 c. 291.

13.11 Records of joint committee on finance. The joint committee on finance shall keep a complete record of all legislation referred to it, and of its proceedings thereon. At the close of the session, such record shall be transmitted to the chief clerks and deposited by them with the secretary of state. The secretary of state, upon request therefor, shall deliver any such records of previous sessions to the joint committee on finance. Records so delivered shall be returned to the secretary of state by the chairman of the committee at or before the close of the session.

History: 1965 c. 659.

13.12 Committees on contingent expenditures. Each house of the legislature, at the commencement of each session, shall designate a committee of its members to act as a committee on its contingent expenditures, and, by a standing rule, prescribe the duties of such committee.

History: 1965 c. 659.

13.13 Speaker; speaker pro tempore; president pro tempore. (1) **SPEAKER.** The assembly shall elect by roll call vote one of its members as speaker who shall hold office during the term for which elected to the assembly unless separated by death, resignation or removal by a majority of the total present membership of the assembly. If the office is permanently vacated during the session, a successor shall be chosen.

(2) **SPEAKER PRO TEMPORE.** The assembly shall elect a speaker pro tempore who shall hold office for the term for which elected to the assembly unless separated by death, resignation or removal and who shall possess all the powers and prerogatives of the speaker in the absence of the speaker. In the absence or

inability of the speaker pro tempore to preside, the speaker may name any member to perform the duties of the chair temporarily but such selection shall not extend beyond a day's adjournment of the assembly, and such member shall be invested, during such time, with all the powers of the speaker to preside.

(3) **PRESIDENT PRO TEMPORE.** The senate shall elect a president pro tempore at the commencement of each regular session. The president pro tempore shall hold his office until the commencement of the next succeeding regular session unless separated by death, resignation or removal and shall possess all the powers and prerogatives of the president of the senate in the absence of the president of the senate. In the absence or inability of the president pro tempore to preside, the president of the senate may name any member to perform the duties of the chair temporarily but such selection shall not extend beyond a day's adjournment of the senate, and such member shall be invested, during such time, with all the powers of the president to preside.

History: 1965 c. 659.

13.14 Funeral committee. A joint committee consisting of members of the senate appointed by the president pro tempore and members of the assembly appointed by the speaker shall attend the funeral of any deceased member of the legislature.

History: 1965 c. 659.

13.15 Chief clerks. Each house, at the commencement of each regular session, shall elect a chief clerk who shall perform all such duties as by custom appertain to his office and all duties imposed by law or by the rules. In the absence of the chief clerk his duties shall be performed by one of the clerks acting under him, appointed by him in writing.

History: 1963 c. 199; 1965 c. 659.

13.16 Chief clerks' duties. The chief clerk of each house shall be personally responsible for the safekeeping of every bill, memorial, joint resolution or other document or paper pertaining to legislation, which comes to his hands or to the hands of his deputy or assistant from any member, committee or officer of the legislature or of either branch thereof. He shall keep a full record thereof and shall enter in such record the disposition made of the same. Such chief clerks, at the close of each session shall deposit for safekeeping in the office of the secretary of state all books, bills, documents and papers in the possession of the legislature, correctly labeled. The chief clerk of the house in which a joint resolution

or resolution originates shall deposit a copy of such resolution or joint resolution in the office of the secretary of state immediately upon its adoption by the legislature, enrollment and signing.

History: 1965 c. 659.

13.17 Journals. A journal of the senate and assembly shall be prepared under the direction of the chief clerks of the respective houses. When completed, each journal shall be printed as provided by law. The chief clerk of each house shall certify one copy of such journal to the secretary of state for deposit. The printed journals shall be the official record of each house of the legislature.

History: 1965 c. 659.

13.175 Referenda. Every proposal for legislation which is to be submitted to the voters for their approval or for an expression of their opinion including, without limitation because of enumeration, proposed constitutional amendments, advisory referenda, and legislation designed to become effective only after ratification by the voters shall include a complete statement of the referendum question upon which the voters shall be requested to vote. No such proposal shall be passed by either house of the legislature unless it contains the precise wording of the referendum question which is to be submitted to the voters for their approval, expression of opinion or ratification.

History: 1967 c. 194.

13.18 Sergeants at arms. Each house, at the commencement of each regular session, shall elect a sergeant at arms who shall perform all such duties as by custom appertain to his office and all duties imposed by law or by the rules.

History: 1963 c. 199; 1965 c. 659.

13.19 Arrest of officers. No officer of the senate or assembly, while in actual attendance upon the duties of his office, shall be liable to arrest on civil process.

History: 1965 c. 659.

13.20 Legislative employees. (1) (a) The legislature or either house thereof may employ such clerical, professional or other assistants as in the judgment of the joint committee on legislative organization or the committee on organization in each house are necessary to enable it to perform its functions and duties and to best serve the people of this state.

(b) No person, except those under s. 16.08 (2) (f), shall be employed by the legislature unless he first passes a qualifying examina-

tion, administered by the bureau of personnel, in which he successfully demonstrates that he possesses the minimum qualifications for the position in which he seeks employment.

(c) Each house shall by resolution establish a staffing pattern setting forth the staff positions in that house. The resolutions shall specify the number and type of positions under the classified service considered permanent positions or considered limited-term employment positions, and the number and type of positions to be filled outside the classified service. A fiscal note is required for each such resolution. At the commencement of each regular biennial legislative session, the staffing pattern in effect at the conclusion of the preceding regular legislative session shall continue until superseded by resolution.

(2) All legislative employes shall be paid in accordance with the compensation and classification plan for limited-term employes in the classified civil service within ranges recommended by the bureau of personnel and approved by the joint committee on legislative organization. Limited-term appointments shall be for the term of the legislature, unless terminated by the appointing officer.

History: 1963 c. 199; 1965 c. 659; 1967 c. 21, 81, 327.

13.21 State departments to co-operate in providing legislative help. (1) Because of the difficulty in securing necessary help to fill legislative positions in regular sessions of the legislature, due to the manpower shortage, each department and agency of the state government and the employes thereof shall co-operate with the legislature to the fullest extent in the transfer to the legislature of such employes as are necessary to fill all legislative positions.

(2) All employes so transferred shall receive such compensation as is prescribed by law for such legislative positions. Such employes shall continue their civil service rating, sick leave, vacation and other rights under ch. 16 and after termination of their employment in such legislative positions shall be returned to the respective departments and agencies from which they were transferred for resumption of their regular employment.

History: 1965 c. 659.

13.22 Payroll, legislative employees. The chief clerk and sergeant at arms of each house shall certify to the department of administration the payrolls for legislative employes in their respective houses. Such certificates shall be approved as provided by the rules of each house.

History: 1965 c. 659.

13.23 Election contests; notice. Any person wishing to contest the election of any senator or member of the assembly shall, within 30 days after the decision of the board of canvassers, serve a notice in writing on the person whose election he intends to contest, stating briefly that his election will be contested and the cause of such contest, and shall file a copy thereof in the office of the secretary of state at least 10 days before the day fixed by law for the meeting of the legislature. If any contestant fails to so file a copy of such notice, he shall not be entitled to any mileage or salary in case payment has been made therefor to the sitting member.

History: 1965 c. 659.

Discussion of contested election to the legislature and compensation and oath of office of members. 52 Atty. Gen. 17.

13.24 Testimony in election contests. (1) After the service of the notice required by s. 13.23 either party may proceed to take the depositions of witnesses before any judge, court commissioner or a municipal justice in the district where the contest is pending, upon giving 10 days' notice in writing to the opposite party of the time and place at which and the officer before whom such depositions will be taken. No deposition shall be taken after the last Monday preceding the day fixed by law for the meeting of the legislature, except in case of sickness or unavoidable absence of witnesses.

(2) The officer before whom such depositions are taken shall carefully envelope and seal up the same, indorse on the envelope the names of the contestant and contestee, and direct the depositions so indorsed to the presiding officer of the branch of the legislature by which the contest is to be determined.

(3) The depositions so taken may be used and read in evidence by either party upon the hearing of such contest, and no other depositions than those so taken shall be used or heard, nor shall such branch of the legislature, by its committees or otherwise, hear or seek to procure other testimony, but shall proceed forthwith to determine the contest upon the depositions so furnished.

History: 1965 c. 659; 1967 c. 276 s. 39.

13.25 Expenses of election contest; limitation. Not more than \$300 shall be allowed by the legislature to any contestant or contestee for any fees or expenses of any kind incurred in a contest over a seat in either branch of the legislature.

History: 1965 c. 659.

13.26 Contempt. (1) Each house may punish as a contempt, by imprisonment, a breach of its privileges or the privileges of its members; but only for one or more of the following offenses:

(a) Arresting a member or officer of the house, or procuring such member or officer to be arrested in violation of his privilege from arrest.

(b) Disorderly conduct in the immediate view of the house and directly tending to interrupt its proceedings.

(c) Refusing to attend or be examined as a witness, either before the house or a committee, or before any person authorized to take testimony in legislative proceedings, or to produce any books, records, documents, papers or keys according to the exigency of any subpoena.

(d) Giving or offering a bribe to a member, or attempting by menace or other corrupt means or device to control or influence a member in giving his vote or to prevent his giving the same.

(2) The term of imprisonment a house may impose under this section shall not extend beyond the same session of the legislature.

History: 1965 c. 659.

13.27 Punishment for contempt. (1) Whenever either house of the legislature orders the imprisonment of any person for contempt under s. 13.26 such person shall be committed to the Dane county jail, and the jailer shall receive such person and detain him in close confinement for the term specified in the order of imprisonment, unless he is sooner discharged by the order of such house or by due course of law.

(2) Any person who is adjudged guilty of any contempt of the legislature or either house thereof shall be deemed guilty also of a misdemeanor, and after the adjournment of such legislature, may be prosecuted therefor in Dane county, and may be fined not more than \$200 or imprisoned not more than one year in the county jail.

History: 1965 c. 659.

13.28 Interpellation of officers. (1) Upon the petition of 6 members of the senate, not more than 4 of whom belong to the same political party, or of 17 members of the assembly, not more than 9 of whom belong to the same political party, any appointive state officer shall appear before that branch of the legislature to which the petitioning members belong, to answer written and oral interrogatories relative to any matter, function or

work of such officer, relative to any act, omission or other matter pertaining to the powers or privileges exercised or duties performed by him or by any employe or subordinate of such officer, relative to the manner, conditions or terms of his appointment or of any appointment made by him or relative to any act, omission or conduct unbecoming the position of any such officer. Such petition shall be in writing, shall be accompanied by written interrogatories, shall be signed by the petitioning members and shall be filed with the presiding officer of that branch of the legislature to which such petitioning members belong.

(2) Upon the joint petition of 6 members of the senate, not more than 4 of whom belong to the same political party, and 17 members of the assembly, not more than 9 of whom belong to the same political party, filed with the presiding officer of the senate, requesting an examination of any appointive state officer made subject thereto by sub. (1) before a joint session of the 2 houses of the legislature, such officer shall appear before such joint session and answer written and oral interrogatories as to any matters included in sub. (1).

History: 1965 c. 659.

13.29 Time for Interpellation and procedure. (1) Upon the filing of any petition, under s. 13.28, the presiding officer with whom the petition is filed, shall fix a time not later than 20 days after the filing of the petition, for the meeting of that branch of the legislature, or the joint session of the legislature, as the case may be, before which such interrogation and examination shall be held. A notice of such meeting, together with a copy of the written interrogatories, shall be forthwith delivered to the officer named therein.

(2) The legislature may adopt rules to govern such examinations. All proceedings, including all questions and answers, shall be fully recorded and a copy thereof shall be transmitted to the governor within 30 days after the close of the examination.

History: 1965 c. 659.

13.30 State officers; removal by legislature. Any appointive state officer after being examined under ss. 13.28 and 13.29 may be removed by the legislature by joint resolution adopted in each house by a majority of the members elected to such house. The power to remove appointive state officers provided in this section is additional to and shall not be construed as destroying the right of removal by other persons.

History: 1965 c. 659.

13.31 Witnesses; how subpoenaed. The attendance of witnesses before any committee of the legislature, or of either house thereof, appointed to investigate any subject matter, may be procured by subpoenas signed by the presiding officer and chief clerk of the senate or assembly. Such subpoenas shall state when and where, and before whom, the witness is required to appear, and may require such attendance forthwith or on a future day named and the production of books, records, documents and papers therein to be designated, and may also require any officer of any corporation or other person having the custody of the keys, books, records, documents or papers of any such corporation to produce the same before such committee. Such subpoenas may be served by any person and shall be returned to the chief clerk of the house which issued the same as subpoenas from the circuit court are served and returned.

History: 1965 c. 659.

13.32 Summary process; custody of witness. (1) Upon the return of a subpoena issued under s. 13.31, duly served, and upon filing with the presiding officer of the house from which the subpoena issued a certificate of the chairman of the committee certifying that any person named therein failed or neglected to appear before the committee in obedience to the mandate of such subpoena, summary process to compel the attendance of such person shall be issued.

(2) Such summary process shall be signed by the presiding officer and chief clerk of the house which issued the subpoena, and shall be directed to the sergeant at arms thereof commanding him "in the name of the state of Wisconsin" to take the body of the person so failing to attend, naming him, and bring him forthwith before the house whose subpoena he disobeyed. When so arrested he shall be taken before the committee desiring to examine him as a witness, or to obtain from him books, records, documents or papers for their use as evidence, and when before such committee such person shall testify as to the matters concerning which he is interrogated.

(3) When such person is not on examination before such committee he shall remain in the custody of the sergeant at arms or in the custody of some person specially deputed for that purpose; and the officer having charge of him shall from time to time take him before such committee until the chairman of the committee certifies that the committee does not wish to examine such person further. There-

upon such witness shall be taken before the house which issued the summary process and that house shall order his release, or may proceed to punish him for any contempt of such house in not complying with the requirements of this chapter or of any writ issued or served as herein provided.

History: 1965 c. 659.

13.33 Service of process. Either house ordering any summary process may also direct the sergeant at arms to specially depute some competent person to execute the same, and such deputation shall be indorsed on such process in writing over the signature of the sergeant at arms to whom the same is directed. The person so deputed shall have the same power as the sergeant at arms in respect thereto, and shall execute the same according to the mandate thereof, and for that purpose the sergeant at arms or his deputy may call to his aid the power of the county wherein such writ is to be executed the same as the sheriff of such county could do for the purpose of arresting a person charged with crime under process issued by a court of competent jurisdiction; and any sergeant at arms having any person in custody by virtue of any such summary process may depute any other person to have charge of the person so in his custody, and the person so deputed shall have the same power over such person as is conferred upon the sergeant at arms.

History: 1965 c. 659.

13.34 Refusal to testify. Every refusal to testify or answer any question, or to produce keys, books, records, documents or papers before any committee included within s. 13.31 shall be forthwith certified to the proper house by the chairman of such committee. Such certificate shall be transmitted, and the person so refusing taken, by the sergeant at arms or one of his assistants, before such house to be dealt with according to law.

History: 1965 c. 659.

13.35 Liability of witness. No person who is required to testify before either house of the legislature or a committee thereof, or joint committee of the 2 houses, and is examined and so testifies, shall be held to answer criminally in any court or be subject to any penalty or forfeiture for any fact or act touching which he is required to testify and as to which he has been examined and has testified, and no testimony so given nor any paper, document or record produced by any such person before either house of the legislature or any such committee shall be competent testimony

or be used in any trial or criminal proceeding against such person in any court, except upon a prosecution for perjury committed in giving such testimony; and no witness shall be allowed to refuse to testify to any fact, or to produce any papers, documents or records touching which he is examined before either house or any such committee, for the reason that the testimony touching such fact, or the production of such papers, documents or records may tend to disgrace him or otherwise render him infamous.

History: 1965 c. 659.

13.36 Witness fees. The compensation of all witnesses who are subpoenaed and appear pursuant to s. 13.31 shall be \$2 for each day's attendance and 10 cents per mile, one way, for travel to attend as such witness. The department of administration shall audit the accounts of such witnesses upon the certificate of the chairman of the committee before which any such witness has attended, stating the number of days' attendance and the distance he has traveled, and the accounts so audited shall be paid out of the state treasury and charged to the appropriation for the legislature.

History: 1965 c. 659.

SUBCHAPTER II LEGISLATIVE COMMITTEES

13.45 General provisions on legislative committees. (1) TERM; ELIGIBILITY; VACANCIES. (a) Unless otherwise provided by law, the terms of all legislator members of legislative committees or committees on which there are legislator members selected by either house or the officers thereof shall expire on May 1 of each odd-numbered year. This provision shall not apply to the standing, special or select committees of each legislature which shall expire with the sine die adjournment of the legislature by which created or with the convening of the next succeeding legislature, whichever is earlier; but any special or select committee shall expire even earlier if the purpose for which it was created has been accomplished.

(b) If a member of the legislature, appointed to any committee by reason of such membership, ceases to be a member of the legislature, his membership on the committee terminates on the day he ceases to be a legislator.

(c) Vacancies shall be filled as are original appointments, but if a vacancy occurs after the sine die adjournment of the legislature or during any adjournment for a specific period

of at least 30 days, in any position held by a legislator on a committee then functioning, and no provision for filling such vacancy exists by law or the existing provisions cannot be exercised, the legislative council may fill such vacancy, and such appointment shall expire as do the original appointments. This provision shall not affect s. 17.20 (2).

(2) APPOINTMENTS REPORTED. The chief clerk of each house shall file a duplicate of each report required by s. 14.69 (6) with the executive secretary of the legislative council.

(3) EXPENSES. (a) For any day for which he does not file a claim under s. 20.765 (1) (a) 2. a, any legislator appointed to serve on a legislative committee or a committee to which he was appointed by either house or the officers thereof shall be reimbursed from the appropriation under s. 20.765 (1) (a) 4. for his actual and necessary expenses incurred as a member of the committee.

(b) Unless otherwise provided by law, any state officer or employe representing his agency as a member of a committee under this chapter shall be reimbursed by his agency for his actual and necessary expenses incurred in the performance of his duties as a committee member.

(c) Unless otherwise provided by law, any member of a committee under this chapter and not covered by par. (a) or (b) shall be reimbursed from the appropriation of the committee of which he is a member for his actual and necessary expenses incurred in the performance of his duties as a committee member.

(4) ORGANIZATION. Unless otherwise provided by law, every legislative committee or committee on which there are legislative members selected by either house or the officers thereof shall:

(a) Elect a chairman, vice chairman and secretary from among its members.

(b) Meet at such times, and at such locations within this state, as the chairman with the consent of the members announces.

(c) Maintain its office in the capitol.

(d) Maintain a written record of its proceedings.

(e) Submit a written report of its findings, conclusions and recommendations to the governor and legislature on or before May 1 of each odd-numbered year.

(5) RULES OF PROCEDURE; QUORUM. Unless otherwise provided by law, every legislative committee or committee on which there are legislative members selected by either house or the officers thereof may adopt such

rules for the conduct of its business as are necessary, but a majority of the members appointed to a committee shall constitute a quorum to do business and a majority of such quorum may act in any matter within the jurisdiction of the committee.

(6) COMMITTEEMEN MAY ADMINISTER OATHS. Any senator or assemblyman, while acting as a member of a legislative committee, may administer oaths to persons to be examined before such committee.

(7) CO-OPERATION OF STATE AGENCIES. The departments, officers and employes of Wisconsin state government, and the governing bodies of the political subdivisions of this state, shall assist legislative committees in the completion of their tasks. They shall provide legislative committees with ready access to any books, records or other information relating to such tasks. Upon request by legislative committees, and within the limits of existing appropriations, departments of state government shall supply such specialized staff assistance as a legislative committee may require.

History: 1965 c. 659; 1967 c. 158, 291 s. 14.

13.47 Committee to visit state properties.

There is created a joint legislative committee to visit state properties, consisting of 5 senators and 6 assemblymen, appointed as are standing committees in the respective houses. The 2 major political parties shall be represented in the membership from each house.

(1) MEETINGS. The committee shall meet when the legislature is not in actual session.

(2) DUTIES OF THE COMMITTEE. The committee, in groups or individually as assigned by the chairman with the consent of the committee, shall visit all institutions and office buildings owned or leased by the state and the capitol building and inspect the grounds and the buildings thereon. Each member shall participate in the groups to which he is assigned, but if the appointed member of the state building commission is unable to participate in a specific visit he shall appoint an alternate member, selected from his house of the legislature, to participate in his place. It shall thoroughly inspect the state buildings or grounds and shall have free access to any part of such state buildings or the surrounding grounds and all persons therein in order to make such examination as it sees fit of the conditions found.

History: 1965 c. 66 s. 8; 1965 c. 249, 433 s. 121; 1965 c. 475, 659.

13.48 Long-range public building program.

(1) POLICY. The legislature finds and deter-

mines that it is necessary to improve the adequacy of the public building facilities that are required by the various state agencies including the educational institutions, for the proper performance of their duties and functions, and that it is in the interest of economy, efficiency and the public welfare that such improvement be accomplished by means of a long-range public building program, with funds to be provided by successive legislatures. Projects in such long-range program shall include the necessary lands, new buildings, and all facilities and equipment required and also the remodeling, reconstruction and re-equipping of existing buildings and facilities, but shall not include ordinary maintenance.

(2) STATE BUILDING COMMISSION; POWERS AND DUTIES. (a) There is created a state building commission which shall consist of the governor, who shall be chairman, and 6 members of the legislature of whom 3 shall be from each house, to be appointed as are standing committees in the respective houses. The 2 major political parties shall be represented in the membership from each house. Of the members appointed from either house, one shall be a member of the visiting committee created by s. 13.47. One citizen member shall be appointed by the governor to serve at the pleasure of the governor. The director of the bureau of engineering, the ranking architect in the department of administration, and the commissioner of administration shall be non-voting advisory members. The terms of all legislative members shall expire on the 2nd Wednesday in January of the odd-numbered year. The members shall act without liability except for misconduct. Members of the commission who are not members of the legislature shall be reimbursed for their actual and necessary expenses incurred as members of the commission from the appropriation made by s. 20.505.

(b) 1. The commission shall have all the powers necessary to carry out its duties and may accept all donations, gifts and bequests made to the state for public building purposes, including any grants made by the federal government, and apply the same in accordance with the terms of the grant or the wishes of the donors, insofar as such is practicable. The commission with respect to any of such buildings shall have all the powers so far as applicable as were conferred by law on the state office building commission with respect to the state office building.

2. In the construction of all new buildings or additions to existing buildings used for

housing state offices and constructed for general state purposes and not specially for the use of any particular state agency, the commission shall function with respect to such construction in the same manner as other state agencies function with respect to buildings constructed for such agencies. The commission shall fix the rental for all space in such buildings, and, notwithstanding any other statute, may remove to any building any department housed in the state capitol other than the offices enumerated in s. 16.85 (5) (b). After the completion of such buildings, they shall be in the charge of the department of administration as provided by s. 16.85. The commission may lease space in such buildings to other governmental bodies or to nonprofit associations organized for public purposes and shall charge such bodies or associations an annual rental which shall be not less than the cost of operating, maintaining and amortizing the construction cost of such leased space.

(c) The commission may employ, outside the classified service, staff or consultants and fix the salary or conditions of such employment.

(d) The commission, for the purpose of carrying out s. 36.34 relating to the sale and purchase of agricultural lands of the state university, may authorize the advance of sums from the state building trust fund for the purchase price, including option payments, of agricultural lands to be acquired by the state university and for expenses incurred in selling agricultural lands presently owned by the state university, including, without limitation because of enumeration, expenses of surveying, platting, constructing and improving streets and utilities and drainage in such a way as to realize the greatest return to the state in the sale of such lands, and other selling expenses. All such sums advanced shall be repaid to the state building trust fund from the appropriation made by s. 20.285 (1) (j).

(e) 1. The commission shall report to the legislature at each regular session, for purposes of legislative review, the total authorizations for building program projects from all sources since the 1949 adjourned session. It shall report in detail the progress on projects authorized in the 2 preceding and current biennia including the authorization, the encumbrance and expenditure to date, and the unencumbered balance remaining for each project. Such report shall not be part of the budget document. The governor shall include in a separate building program message such additional amounts for projects in the state's

public building program as he and the state building commission recommend should be appropriated by the legislature for the succeeding biennium.

2. It is the intent of the legislature that it be given a complete picture of the results of its past decisions regarding the state's building program which will serve as background for making further decisions.

(f) The commission may allocate funds from the state building trust fund or other sources available to them to equip university extension centers or state college branch campuses when the facilities have been provided by the counties or other units of local government in accordance with s. 66.51 (1) (a) or 67.04 (2) (zp).

(3) STATE BUILDING TRUST FUND. In the interest of the continuity of the program, there shall be appropriated from the general fund to the state building trust fund as a building depreciation reserve, on July 1, 1965, and annually thereafter, a sum equal to 1½% of the value of all state buildings, structures, utility plants and equipment therein excepting those under the jurisdiction of the highway commission, as appraised by the department of administration in each even-numbered year. Such appraisal shall be an estimate of the cost of reproduction of such buildings, structures and facilities, and shall be certified by the department of administration not later than November 20 of each even-numbered year to the incoming governor who shall include the sums so to be transferred in his budget. Such sums, together with all donations, gifts, bequests or contributions of money or other property and any additional appropriations or transfers made thereto by the legislature, shall constitute the state building trust fund. At such times as the commission directs, the governor shall authorize releases from this fund to become available for projects in the long-range building program, and he shall direct the department of administration to allocate from this fund such amounts as are approved for these projects. In issuing such directions, the commission shall consider the cash balance in the state building trust fund, the necessity and urgency of the proposed improvement, employment conditions and availability of materials in the locality in which the improvement is to be made. The commission may enter into contracts for the construction of buildings for any state agency and shall be responsible for accounting for all funds released to projects. The commission may designate the agency for

which the project is constructed to act as its representative in such accounting.

(4) STATE AGENCIES TO REPORT PROPOSED PROJECTS. Each state agency contemplating a project under this program shall report its proposed projects to the commission on such date and in such manner as the commission prescribes.

(5) ASSISTANCE TO COMMISSION. The department of administration shall assist the commission in the performance of its duties. The department of administration shall, when requested by the commission, make or cause to be made such studies, preliminary plans and specifications and cost estimates with respect to any proposed project as are necessary to permit the commission to consider intelligently the approval or disapproval of the project and the appropriation of funds. The costs of such studies shall be charged against the building trust fund.

(6) REVIEW OF PROJECTS. All reports submitted as provided by sub. (4) shall be reviewed by the commission, which shall make its report as soon after November 20 as is possible. Such report shall include specific recommendations and establish priorities for the next 3 biennia from among all projects submitted which the commission deems essential and shall recommend additional appropriations if necessary for the execution thereof. The commission shall include in its report an appraisal and recommendation of available and alternative methods of financing buildings for the use of state agencies and shall file copies of its report with the governor-elect.

(7) EXPANSION AT GREEN BAY REFORMATORY OUTSIDE OF WALLS PROHIBITED. Further expansion at Green Bay reformatory outside of the walls is prohibited.

(9) LEASE RENTAL PAYMENTS. Annually, there is appropriated from the general purpose revenues to the state building trust fund a sum sufficient to make lease rental payments under ss. 20.265 (9) (u), 20.285 (9) (u) and 20.435 (9) (u).

(10) APPROVAL BY COMMISSION. No state board, agency, officer, department, commission or body corporate shall enter into a contract or agreement for the construction, reconstruction, remodeling or addition to any building, structure, or facility, which involves a cost in excess of \$15,000 by any means whatsoever, without completion of final plans and arrangement for supervision of construction and prior approval by the commission, any other provision of law to the contrary notwithstanding and irrespective of the source of the funds to

be used for such project. This section applies to the conservation and highway commission only in respect to buildings, structures and facilities to be used for administrative, laboratory, residential, storage and public exhibition functions.

(11) **EXCEPTIONS.** Nothing in this section prohibits the use of past policies and existing statutory authority to borrow funds for the construction of buildings.

(13) **EXEMPTION FROM LOCAL ORDINANCES AND REGULATIONS.** Where any building, structure or facility is constructed for the benefit of or use of the state or any state agency, board, commission or department, by any nonprofit corporation pursuant to the terms of any lease, sublease or other arrangement, such construction shall be in compliance with all applicable state laws, codes and regulations but such construction shall not be subject to the ordinances or regulations of the municipality in which the construction takes place, including without limitation because of enumeration, ordinances or regulations relating to zoning, materials used, permits, supervision of construction or installation, payment of permit fees, or other restrictions of any nature whatsoever. This subsection applies to any construction heretofore or hereafter commenced.

(14) **SALE OR LEASE OF LANDS.** (a) The commission may sell or lease all or any part of the buildings and site including all farm lands of the present school for boys at Waukesha.

(b) The commission may also sell or lease all or any part of the farm at the Wisconsin school for the deaf.

(c) The commission may sell or lease all or any part of the property on which the present workshop for the blind and headquarters of the Milwaukee public welfare office are located.

(d) In selling or leasing the commission shall sell or lease on the basis of either 1. public bids with the commission reserving the right to reject any or all bids in the best interest of the state or 2. negotiated prices. Land and buildings mentioned in this subsection shall be subject to general property taxes levied by those taxing bodies within whose area they lie if used for commercial purposes, and shall upon resolution of the commission be subject to special assessments for public improvements in the same manner and to the same extent as privately owned land.

(e) Net proceeds from the sale or lease of the lands or buildings are appropriated to the

state building trust fund.

History: 1961 c. 226, 239, 268, 432, 436; 1963 c. 224, 316, 419; 1965 c. 163, 433 s. 12; 1965 c. 659; 1967 c. 291 s. 14.

13.49 Program for improvement of the legislative process.

(1) **IMPROVEMENT OF LEGISLATIVE SERVICES.** The 1961 legislature finds and determines that although services furnished to the legislature at the present time are commendable, there are areas in which the services are inadequate and should be strengthened so that the legislature may properly perform its historic duty and function to exercise close control over public expenditures, including the review of the budget and of the programs and efficiency of the administrative offices of the state, and to make effective inquiry into the large volume of current business brought before each legislative session. The legislature also finds that the review of the adequacy of important areas of existing statute law should be continued. To accomplish these ends, the legislature finds that it is desirable and in the public interest to accept the grant from the Ford foundation, as tendered on October 14, 1959. The project for the improvement of the legislative services shall be financed jointly by the Ford foundation and the state.

(2) **LEGISLATIVE PROGRAMS STUDY COMMITTEE.** There is created a 10-member legislative programs study committee to supervise the program. The committee shall be composed of 5 senators and 5 assemblymen appointed as are standing committees in each house. Two members from each house shall be from the minority party. The committee shall report to the legislative council, but the council shall not restrict the projects and expenditures of the committee.

(3) **FUNCTIONS.** The committee shall study the procedure, organization, duties and functions of the legislature and its staff agencies with the objectives of modernizing its organization and procedures and clarifying the statutes and rules related to the legislative process. This program for improving the legislative process shall be organized in 3 phases.

(a) *Phase 1. Fiscal review.* Fiscal review and budget analysis for the purpose of developing new techniques and procedures for examining department appropriation requests, and particularly the effectiveness of the programs financed by such appropriations. This phase shall receive high priority.

(b) *Phase 2. Review of legislative organization and procedures.* In order to systematically evaluate and streamline legislative organization, procedures and functions, the

committee shall divide its study into 3 areas:

1. Procedures involved in the legislative process, including revision of rules, and the advisability of regular annual sessions, annual budget sessions and bifurcated sessions.

2. Organization and adequacy of staff services needed to assist the legislature in carrying out its functions, and the interim duties of legislators and their distribution among members.

3. Techniques and procedures for reviewing existing state programs and the development of policy for new areas of statute law.

(3) *Phase 3. Demonstration projects.* After the committee has initiated phase 2 and when the need for staff services in particular areas has been examined, the committee may conduct demonstration projects to determine the value of staff services to the legislature and its committees.

(4) *ADVISORY COMMITTEES.* The committee may create advisory committees to provide assistance and advice in carrying out its functions. Members of advisory committees shall be reimbursed for their actual and necessary expenses incurred as members of such committees.

(5) *REPORTS.* The committee shall report its progress and recommendations to the council not later than December 1 of each even-numbered year. Its final report shall include recommendations on organization and staff services required by the legislature based on demonstration projects conducted during this program.

(6) *STAFF.* The committee may employ, outside the classified service, such clerical and technical personnel, including consultants and other experts, as it requires in the completion of its studies and demonstration projects.

History: 1961 c. 686; 1963 c. 343; 1965 c. 659.

13.50 Joint survey committee on retirement systems. (1) *CREATION.* There is created a joint survey committee on retirement systems composed of 7 members, as follows:

(a) Two members of the senate and 2 members of the assembly, to be appointed as are standing committees in the respective houses.

(b) An assistant attorney general to be appointed by the attorney general.

(c) A member of the public to be selected by the governor.

(d) The commissioner of insurance or an experienced actuary in his office designated by him.

(2) *TERMS OF COMMITTEE.* Each appointment under sub. (1) (a), (b) and (c) shall be

for a period of 4 years and until a successor is appointed and qualified. Any member shall cease to be a member of the committee upon losing the status upon which the appointment was based.

(3) *MEMBERSHIP COMPATIBLE WITH OTHER PUBLIC OFFICE.* Membership on the committee shall not be incompatible with any other public office.

(4) *STAFF.* The committee shall, under the classified service, employ a research director and such staff as is required for the performance of its duties, it being the determination of the legislature that such research director is more readily obtainable under s. 16.17(4). The committee may employ or contract for actuarial and technical assistance outside the classified service.

(5) *COMMITTEE ACTION.* All actions of the committee shall require the approval of a majority of all the members.

(6) *POWERS AND DUTIES.* The committee shall have the following powers and duties:

(a) No bill or amendment thereto creating or modifying any system for, or making any provision for, the retirement of or payment of pensions to public officers or employes, shall be acted upon by the legislature until it has been referred to the joint survey committee on retirement systems and such committee has submitted a written report on the proposed bill. Such report shall pertain to the probable costs involved, the effect on the actuarial soundness of the retirement system and the desirability of such proposal as a matter of public policy.

(b) No bill or amendment thereto creating or modifying any system for the retirement of public employes shall be considered by either house until the written report required by par. (a) has been submitted to the chief clerk. Each such bill shall then be referred to a standing committee of the house in which introduced. The report of the joint survey committee shall be printed as an appendix to the bill and attached thereto as are amendments.

(c) 1. Whenever a public employe qualifies for membership in the Wisconsin retirement fund or the state teachers retirement system, but a question or dispute arises as to which of the 2 retirement systems he should be a member of, a petition may be filed with the committee requesting that the committee determine in which of said systems such person is eligible for membership. The petition may be made by the public employe, his employer, the board of trustees of the Wisconsin retire-

ment fund, the state teachers retirement board or the department of administration.

2. Upon the filing of any such petition the committee shall investigate the facts of the case and make its decision on the basis of such facts and the applicable statutes. The committee may conduct a hearing on any such petition if it deems such hearing necessary. The committee shall render its decision in writing, briefly stating the reasons therefor or referring to previous decisions.

3. The committee shall furnish a copy of such decision to the petitioner, the Wisconsin retirement fund and the state teachers retirement system. To the extent possible such decisions may be followed as precedents applicable to similar cases. The decisions of the committee under this paragraph may be reviewed under ch. 227. In the absence of such review the decision of the committee shall be followed by the Wisconsin retirement fund and the state teachers retirement system.

4. If the duties of the position of any such public employe include both teaching and the performance of other services, the committee shall make its determination according to the type of activity which occupies the majority of the working time of the employe.

5. A public employe who is a member of the Wisconsin retirement fund or the state teachers retirement system on July 19, 1957, shall remain a member of such fund or system, if he continues to occupy the same position, and the procedure set forth in this paragraph shall not apply to such member.

History: 1965 c. 659.

13.51 Retirement research committee.

(1) CREATION. There is created a broadly representative retirement research committee for the purpose of providing a continuous review and study of the retirement benefits afforded by the state and to allocate adequate study to the complexities of modern retirement programs. The officers and staff of the joint survey committee on retirement systems under s. 13.50 shall be the officers of the retirement research committee. Any 8 members of the committee shall constitute a quorum. The staff of the joint survey committee under s. 13.50 shall assist the committee in the performance of its functions.

(2) MEMBERS. Members of the committee under pars. (d) to (h) shall hold office for 4 years beginning July 1 and until their successors are appointed and qualified, but any member of the committee appointed under par. (d), (e), (f) or (g) who ceases to be a member or representative of the group repre-

sented shall forthwith cease to be a member of the committee. Any vacancy on the committee shall be filled as was the original appointment and shall be filled for the balance of the unexpired term. The committee shall consist of:

(a) The members of the joint survey committee on retirement systems.

(b) The executive director of the Wisconsin retirement fund.

(c) The executive secretary of the state teachers retirement board.

(d) One representative of state, county or municipal employes, appointed by the governor.

(e) A teacher who is a member of the state teachers retirement system, appointed by the governor.

(f) A member of the board of trustees of the teachers annuity and retirement fund created by s. 119.24, who is a member of the teachers annuity and retirement fund in cities of the 1st class, appointed by the governor.

(g) Three members of the public, appointed by the governor.

(h) One representative of county or municipal employers, appointed by the governor.

(i) One senator and one assemblyman, appointed as are standing committees in the respective houses, but if the legislator members under par. (a) do not include a member of the minority party from each house, then the respective appointments under this paragraph shall go to the minority party.

(3) DUTIES OF THE COMMITTEE. The retirement research committee shall:

(a) Investigate and report to the council on any retirement system for public employes. The officers and employes of any such system shall co-operate fully with the committee in any such investigation.

(b) Require of officers or employes having charge or control over or administering any public employe pension or retirement plan financial reports thereof showing the financial condition of such plan and the number, nature and amounts of its investments.

(c) Establish and keep current a library of all public employe pension and retirement plans throughout the United States and may study such plans of foreign countries.

(4) DUTIES OF THE RETIREMENT FUNDS. Each retirement fund or system to which the state contributes shall:

(a) Furnish the committee with a copy of each financial, actuarial and valuation report made by such fund or system, its actuary or

treasurer, for the fiscal year beginning in 1965 and thereafter.

(b) Maintain records in such form that the committee or any other authorized agency can obtain such necessary information as it requires. Such information shall include censuses of active, deferred annuitant and retired annuitant classes by age, sex and membership service.

History: 1965 c. 433 s. 121; 1965 c. 659; 1967 c. 92.

13.52 Joint survey committee on tax exemptions. (1) **CREATION.** There is created a joint survey committee on tax exemptions composed of 7 members, as follows:

(a) One senator member of the joint committee on finance, appointed by the senate chairman of that committee;

(b) The chairman of the assembly committee on taxation;

(c) One senator and one assemblyman selected as are standing committee members of the respective houses;

(d) A representative of the office of the attorney general selected by the attorney general;

(e) The commissioner of taxation or his designated representative; and

(f) A public member, selected by the governor by January 15 of each odd-numbered year, who is familiar with the tax problems of subordinate levels of government throughout the state.

(2) **VACANCIES.** Vacancies shall be filled as are original appointments, but if a vacancy under sub. (1)(a) or (b) cannot be filled in such manner, it shall be filled from the remaining senate members of the joint committee on finance or the assembly committee on taxation, respectively.

(3) **TERM.** The terms of all members shall expire on January 15 of the odd-numbered years, and each member shall serve until his successor is appointed and qualified. Any member shall cease to be a member upon losing the status upon which the appointment is based.

(4) **COMMITTEE ACTION.** All actions of the committee shall require the approval of a majority of all the members.

(5) **POWERS AND DUTIES.** It is the purpose of this committee to provide the legislature with a considered opinion of the legality of the proposal, of the fiscal effect upon the state and its subdivisions and of the desirability as a matter of public policy of each legislative proposal which would modify existing laws or create new laws relating to the exemption of property or persons from any

state or local taxes or special assessments. To this end the committee shall:

(a) Make such investigations as are required to carry out the duties assigned to it.

(b) Hold such hearings as are required to elicit information required to make its reports. Any member is empowered to administer oaths and examine witnesses. By subpoena, issued over the signature of the chairman and served in the manner in which circuit court subpoenas are served, it may summon and compel the attendance of witnesses and the production of records necessary or convenient to be examined or used by them in carrying out their functions. Any subpoenaed witness who fails to appear, refuses to answer inquiries, or fails or refuses to produce records within his control when demanded shall be reported by the committee to the circuit court of Dane county, whose duty it is to compel obedience to any such subpoena by attachment proceedings for contempt as in case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(6) **REPORT.** Upon the introduction in either house of the legislature of any proposal which affects any existing statute or creates any new statute relating to the exemption of any property or person from any state or local taxes or special assessments, such proposal shall at once be referred to the joint survey committee on tax exemptions by the presiding officer instead of to a standing committee, and such proposal shall not be considered further by either house until the joint survey committee on tax exemptions has submitted a report, in writing, setting forth an opinion on the legality of the proposal, the fiscal effect upon the state and its subdivisions and its desirability as a matter of public policy and such report has been printed as an appendix to the bill and attached thereto as are amendments. Such printing shall be in lieu of inclusion of the daily journal of the house in which the bill was introduced.

(7) **STAFF.** The committee may employ such personnel as are required for the performance of its duties. Any intermittent employment of professional, technical or research personnel may be made outside the classified service.

History: 1963 c. 153; 1965 c. 659.

13.53 Council for home and family. (1) **CREATION.** There is created a council for home and family, consisting of the 4 chairmen of the senate and assembly public welfare and judiciary committees or a member of each such committee designated by the

chairman thereof to serve in his place, and 13 members appointed by the joint legislative council for terms of 2 years from the May 1 next following their appointments and until their successors are appointed and qualified. Terms of judges and clergymen shall expire in even-numbered years and terms of other appointees shall expire in odd-numbered years. Each appointive member shall be a resident of the state who has demonstrated a special and continuing interest in family problems and their solution. The legislative council shall select the appointive members as follows: 3 judges who preside over family court branches, 3 clergymen, 2 practicing attorneys, one trained sociologist or one college instructor with a rank of not less than assistant professor, one family court commissioner or assistant commissioner, one county corporation counsel or assistant counsel, one county public welfare director or assistant director and one representative of a voluntary social welfare agency. Members of the council for home and family shall be reimbursed for their actual and necessary expenses incurred as members of the council for home and family.

(2) MEETINGS. The council for home and family shall meet at least quarterly in each year, and may meet at such other times as the members determine or the chairman directs.

(3) CONSULTING COMMITTEES. Within the limits of its appropriation, the council for home and family may appoint consulting committees consisting of members or nonmembers or both, the appointees of which shall also receive their actual and necessary expenses.

(4) POWERS AND DUTIES. The council for home and family shall:

(a) Study the scope and operation of the laws of this state and surrounding states relating to marriage, actions affecting marriages, and support of children and other dependents, examine recent supreme court decisions affecting the same, and submit a written report of its findings, conclusions and recommendations and actions taken thereon to the legislative council, the legislature, the governor and the supreme court on or before May 1 of each odd-numbered year. Such findings shall include all vital facts and statistics that the council for home and family deems necessary and useful, relating to marriages and actions affecting marriage in each county of this state, to be compiled with the co-operation of the state registrar of vital statistics, the judicial council, the director of public welfare, the

county clerk and family court commissioner of each county and the clerk of every court having jurisdiction over actions affecting marriage.

(b) Study the causes of family disintegration, and examine the need for future publicly and privately sponsored programs, activities, services and facilities which would tend to preserve and promote family unity and wholesome family life with particular emphasis on premarital counseling and the prevention of divorce.

(c) Investigate the effect of divorce on public welfare costs and programs, and make recommendations to improve marital stability and accomplish changes in such programs which could bring about a decrease in the number of divorces in this state involving likely welfare recipients and an eventual reduction in welfare costs.

(d) Have authority to conduct workshops and public hearings throughout the state, and to sponsor or participate in conferences for home and family on a state or local level and to participate in such conferences on a regional, interstate or national level.

(e) Co-ordinate and stimulate the activities of county family life councils and other public and private organizations, and such activities of the federal government as apply to this state.

(f) Have authority to receive and use gifts, grants, bequests and devises for the purposes and programs specified in this section, and for the establishment of a family life center to develop or administer programs and projects for the improvement of family living. Such center may be established in co-operation or conjunction with an appropriate state agency or a nonprofit medical institution.

(g) Employ such staff as is necessary to implement the duties assigned to it, within the limits of its appropriation. Such staff shall be appointed by the council for home and family outside the classified service and shall serve at its pleasure.

(5) CONSULTANTS. The legislative council, the judicial council, director of public welfare, revisor of statutes and registrar of vital statistics may furnish consultants from their respective staffs to advise and assist the council for home and family in the performance of its functions.

History: 1963 c. 569; 1965 c. 59, 659; 1967 c. 20.

13.54 Interstate co-operation commission.

(1) CREATION. There is created a commission on interstate co-operation in the legislative branch to consist of the members of the joint

committee on legislative organization and, in addition, 3 senators and 3 assemblymen appointed as are standing committees in the respective houses, the chief of the legislative reference bureau, the governor and 3 state officials to be appointed by him. The executive secretary of the legislative council shall serve as the nonvoting secretary of the commission. Members of the commission shall be paid no additional compensation but shall be reimbursed their actual and necessary expenses from the appropriation made by s. 20.765 (3) (d). Subject to s. 14.69 (6), alternates to attend specific meetings may be chosen as are persons to fill vacancies, and their terms shall expire when their mission is accomplished.

(2) **DUTIES.** The commission on interstate co-operation shall:

(a) Carry forward the participation of this state as a member of the council of state governments.

(b) Encourage and assist the legislative, executive and judicial branches of this state to develop and maintain friendly relations by correspondence, by conference, or otherwise, with officials and employes of other states, the federal government, and units of local government.

(c) Promote co-operation between this state and other units of government whenever it seems advisable to do so by formulating proposals for, and by facilitating the adoption of compacts, the negotiation of uniform or reciprocal agreements, either for administrative rules and regulations or for the co-operation of governmental officials, and any other suitable process, and all such acts as will, in the opinion of this commission, enable this state to do its proper part in forming a more perfect union among the various governments in the United States.

(d) Designate by its chairman one or more of its members or other state officials to represent this state in conference with officials of other states or units of government for the purposes set forth in par. (c). All appointments of nonmembers as conferees shall be approved by the governor. Each such conference shall be fully reported to the commission, which shall in turn make reports of such conferences to the governor and to the legislature. The commission shall prepare and submit a report of its activities and recommendations to the governor and to the legislature within 15 days after the convening of each regular legislative session and at such

other times as it deems appropriate.

History: 1963 c. 323; 1965 c. 433 s. 121; 1965 c. 659; 1967 c. 43, 291 s. 14.

13.55 Commission on uniform state laws.

(1) **CREATION.** There is created a 5-member commission on uniform state laws to advise the legislature with regard to uniform laws and model laws. The commission shall consist of the executive secretary of the legislative council, the chief of the legislative reference bureau or a professional employe under s. 13.92 (1)(b) designated by him, the revisor of statutes, and 2 members of the Wisconsin bar appointed by the governor for 4-year terms. The ex officio members may each designate an employe to represent them at any meeting of the conference under sub. (3).

(2) **QUORUM; SCHEDULED MEETINGS.** Any 3 members of the commission shall constitute a quorum. The commission shall meet at least once every 2 years.

(3) **NATIONAL CONFERENCE.** Each commissioner shall attend the annual meeting of the conference of commissioners on uniform state laws; examine subjects on which uniformity of legislation is desirable; ascertain the best methods to effect uniformity; co-operate with commissioners in other states in the preparation of uniform acts; and prepare bills adapting such uniform acts to the Wisconsin statutes, for introduction in the legislature.

(4) **REPORT.** The commission shall make a biennial report to the joint legislative committee on revisions, repeals and uniform laws.

History: 1963 c. 149; 1965 c. 659.

13.56 Committee for review of administrative rules.

(1) **CREATION.** There is created a legislative joint committee for review of administrative rules, consisting of 4 senators and 5 assemblymen appointed as are standing committees in the respective houses. The 2 major political parties shall be represented in the membership from each house. The committee shall meet at the call of its chairman or upon a call signed by 2 of its members or signed by 5 members of the legislature.

(2) **REVIEW OF RULES BY COMMITTEE.** The committee shall promote adequate and proper rules by agencies and an understanding upon the part of the public respecting such rules. It may hold public hearings to investigate complaints with respect to rules if it considers such complaints meritorious and worthy of attention and may, on the basis of the testimony received at such public hearings, suspend any rule complained of by the affirma-

tive vote of at least 6 members. If any rule is so suspended, the committee shall as soon as possible place before the legislature, at any regular session and at any special session upon the consent of the governor, a bill to repeal the suspended rule. If such bill is defeated, or fails of enactment in any other manner, the rule shall stand and the committee may not suspend it again. If the bill becomes law, the rule is repealed and shall not be enacted again unless a properly enacted law specifically authorizes the adoption of that rule. The committee shall make a biennial report to the legislature and governor of its activities and include therein its recommendations.

(3) PUBLIC HEARINGS BY STATE DEPARTMENTS. By a vote of a majority of its members, the committee may request any department issuing rules to hold a public hearing in respect to recommendations made pursuant to sub. (2). Such department shall give notice as provided in s. 227.021 of a hearing thereon, to be conducted in accordance with s. 227.022, which hearing shall be held not more than 60 days after receipt of such request.

History: 1965 c. 659.

A bill giving the committee power to void a properly adopted administrative rule would be unconstitutional. 52 Atty. Gen. 423.

SUBCHAPTER III REGULATION OF LOBBYING

13.60 Corrupt means to influence legislation; disclosure of interest. Any person who gives or agrees or offers to give anything of value to any person, for the service of such person or of any other person in procuring the passage or defeat of any measure before the legislature or before either house or any committee thereof, upon the contingency or condition of the passage or defeat of such measure, or who receives, or agrees to receive anything of value for such service, upon any such contingency or condition, or who, having a pecuniary or other interest, or acting as the agent or attorney of any person in procuring or attempting to procure the passage or defeat of any measure before the legislature or before either house or any committee thereof, attempts in any manner to influence any member of such legislature for or against such measure, without first making known to such member the real and true interest he has in such measure, either personally or as such agent or attorney, may be fined not more than \$200 or imprisoned in the county jail not more than one year.

History: 1965 c. 659.

13.61 Lobbying regulated; legislative pur-

pose. The purpose of this subchapter is to promote a high standard of ethics in the practice of lobbying, to prevent unfair and unethical lobbying practices and to provide for the licensing of lobbyists and the suspension or revocation of such licenses.

History: 1965 c. 659.

13.62 Definitions. In this subchapter:

(1) "Lobbying" means the practice of promoting or opposing the introduction or enactment of legislation before the legislature or the legislative committees or the members thereof.

(2) "Lobbyist" means any person who engages in the practice of lobbying for hire except in the manner authorized by s. 13.70. Lobbying for hire includes activities of any officers, agents, attorneys or employes of any principal who are paid a regular salary or retainer by such principal and whose duties include lobbying.

(3) "Unprofessional conduct" means:

(a) A violation of ss. 13.60 to 13.71, or soliciting employment from any principal, or instigating the introduction of legislation for the purpose of obtaining employment in opposition thereto, or attempting to influence the vote of legislators on any measure pending or to be proposed by the promise of support or opposition at any future election, or by any other means than a full and fair argument on the merits thereof, or by making public any unsubstantiated charges of improper conduct on the part of any other lobbyist or of any legislator, or engaging in practices which reflect discredit on the practice of lobbying or the legislature.

(b) Furnishing or being concerned in another's furnishing to the governor, any legislator, any officer or employe of the state or to any candidate for state office or for the legislature, any food, meal, lodging, beverage, transportation, money, campaign contributions or any other thing of pecuniary value. This paragraph does not apply to entertainment by a nonprofit organization at a bona fide social function or meeting of such organization.

(4) "Principal" means:

(a) Any person who engages a lobbyist or other person in connection with any legislation, pending before the legislature or to be proposed, affecting the pecuniary interest of such person, corporation or association.

(b) Any board, department, commission or other agency of the state, or any county or municipal corporation, which engages a lobbyist or other person in connection with any

legislation pending or to be proposed affecting the statutory powers, duties or appropriation of such agency, county or municipal corporation.

(5) "File" means the file of licensed lobbyists maintained by the secretary of state pursuant to s. 13.65.

(6) "Report" means the statement of expenses filed with the secretary of state by lobbyists pursuant to s. 13.67.

(7) "Pecuniary interest" means any legislation which creates, alters or repeals any statutory charge by way of tax, license fee, registration fee or otherwise, or which creates, alters or repeals any statutory privilege, power, restriction or obligation of any principal, or which creates, alters or repeals the powers or duties of any court or governmental agency before which the principal does business.

History: 1965 c. 66 s. 6; 1965 c. 433, 659.

"For hire" as used in (2) means for compensation paid for services and excludes one who is only reimbursed for his expenses. 54 Atty. Gen. 118.

13.63 Licenses for lobbyists; suspension or revocation. (1) **LICENSES; FEES; ELIGIBILITY.**

Any adult of good moral character who is a U. S. citizen and otherwise qualified under ss. 13.61 to 13.71 shall be licensed as a lobbyist as herein provided. The secretary of state shall provide for the form of application for license. Such application may be obtained in the office of the secretary of state and filed therein. Upon approval of such application and payment of the license fee of \$10 to the secretary of state, a license shall be issued which entitles the licensee to practice lobbying on behalf of any one or more principals. Each license shall expire on December 31 of each even-numbered year. No application shall be disapproved without affording the applicant a hearing which shall be held and decision entered within 10 days of the date of filing of the application. Denial of a license may be reviewed under ch. 227.

(2) **SUSPENSION OR REVOCATION OF LICENSE.**

Upon verified complaint in writing to the district attorney of Dane county charging the holder of a license with having been guilty of unprofessional conduct or with having procured his license by fraud or perjury or through error, the district attorney may bring civil action in the circuit court for Dane county against the holder and in the name of the state as plaintiff to revoke the license. Hearing shall be held by the court unless the defendant licensee demands a jury trial. The trial shall be held as soon as possible and at

least 20 days after the filing of the charges and shall take precedence over all other matters pending before the court. If the court finds for the plaintiff, judgment shall be rendered revoking the license and the clerk of the court shall file a certified copy of the judgment with the secretary of state. Costs shall be paid by the county, but if the court determines that the complaint made to the district attorney was without proper cause, it shall enter judgment against the person making the complaint for the costs of the action and the payment of the same may be enforced by execution against the body as in civil action. The licensing authority may commence any such action on his own motion.

(3) **SUSPENSION OF LOBBYING PRIVILEGES.**

No lobbyist whose license has been suspended or revoked and no person who has been convicted of a violation of ss. 13.61 to 13.71 shall engage in any activity permitted by s. 13.70 until he has been reinstated to the practice of lobbying and duly licensed.

History: 1965 c. 659.

13.64 Lobby registry.

Except as provided in s. 13.70 (2) every principal who employs any lobbyist shall within one week after such employment cause the name of said lobbyist to be filed with the secretary of state. The lobbyist shall also file his name with the secretary of state. Upon the termination of such employment such fact may be entered opposite the name of the lobbyist either by the lobbyist or the principal.

History: 1965 c. 163, 659.

13.65 File; authorization. (1) The secretary of state shall prepare and keep a file in which shall be entered the name and business address of each lobbyist, the name and business address of his principal and the subject of legislation to which the employment relates.

(2) Any principal employing any lobbyist shall when further subjects of legislation are introduced or arise which such lobbyist is to promote or oppose, make or cause to be made additional entries in the file stating such employment so that the file will show at all times all subjects of legislation in relation to which the lobbyist is employed. The file may also show the number or designation of bills, resolutions or other measures in relation to which the lobbyist is employed.

(3) Within 10 days after his registration, a lobbyist shall file with the secretary of state a written authorization to act as such, signed by his principal.

History: 1965 c. 163, 659.

13.66 Restrictions on practice of lobbying. (1) No person shall practice as a lobbyist unless he has been duly licensed under s. 13.63 and unless his name appears in the file as employed in respect to such matters as he is promoting or opposing. No principal shall authorize or permit any lobbyist employed by him to practice lobbying in respect to any legislation affecting the pecuniary interest of such principal until the lobbyist is duly licensed and the name of such lobbyist is duly entered in the file. No person shall be employed as a lobbyist for a compensation dependent in any manner upon the passage or defeat of any proposed or pending legislation or upon any other contingency connected with the action of the legislature or of either branch thereof or of any committee thereof.

(2) Before or within 5 days after delivering any written or printed statement, argument or brief to the entire membership of either or both houses of the legislature, 3 copies shall be deposited with the secretary of state.

(3) The restrictions upon the practice of lobbying provided by ss. 13.61 to 13.71 shall be effective only during the regular and special sessions of the legislature and for the period between the general election and the commencement of the regular session.

History: 1965 c. 433, 659.

13.67 Reports by lobbyists; reports to legislature. (1) Every lobbyist required to have his name entered in the file shall, within 10 days after the end of each calendar month of any regular or special session of the legislature, file with the secretary of state a sworn statement of expenses made and obligations incurred by himself or any agent in connection with or relative to his activities as such lobbyist for the preceding month or fraction thereon, except that he need not list his own personal living and travel expenses in such statement.

(2) Beginning with the 3rd Tuesday following the beginning of any regular or special session of the legislature and on every Tuesday thereafter for the duration of such session, the secretary of state shall from his records report to each house of the legislature the names of lobbyists registered under s. 13.64 who were not previously reported, the names of the persons whom they represent as such lobbyist and the subjects of legislation in which they are interested. Such reports shall be incorporated into the journal of the senate and a copy filed in the office of the chief clerk of the assembly. The secretary of

state shall also forward to each house a copy of each statement required to be filed under sub. (1). Such copy shall be open to public inspection but shall not be incorporated in the journal unless the house so orders. Any expenditures made or obligations incurred by any lobbyist in behalf of or for the entertainment of any state official or employe concerning pending or proposed legislative matters shall be reported according to this section.

History: 1965 c. 433, 659.

13.68 Statement of expense by principal. Within 30 days after the sine die adjournment of the legislature, every principal whose name appears in the file or who has employed any person to engage in any activity permitted under s. 13.70 shall file with the secretary of state a complete and detailed statement verified under oath by the person making the same, or in the case of a corporation by its president or treasurer, of all expenses paid or incurred by such principal in connection with the employment of lobbyists or in connection with promoting or opposing in any manner the passage by the legislature of any legislation affecting the pecuniary interest of such principal. The accounts shall be rendered in the form prescribed by the secretary of state.

History: 1965 c. 433, 659.

13.69 Penalties. (1) Any principal violating ss. 13.61 to 13.68 may be fined not less than \$200 nor more than \$5,000.

(2) Any lobbyist who fails to comply with ss. 13.61 to 13.68 or any person who acts as a lobbyist without being duly licensed may be fined not less than \$100 nor more than \$1,000 and shall be barred from acting as a lobbyist for the period of 3 years from the date of such conviction.

(3) Any lobbyist who fails to make and file the statement required by s. 13.67 may be fined not to exceed \$500 or imprisoned not to exceed 6 months or both. Any lobbyist who files a false statement may be fined not less than \$500 nor more than \$1,000 or imprisoned in the county jail for not less than 30 days nor more than one year. The attorney general shall upon information bring prosecutions for the violation of ss. 13.61 to 13.70.

History: 1965 c. 66 s. 8; 1965 c. 659.

13.70 Personal lobbying prohibited; exceptions. (1) It is unlawful for any person other than a licensed lobbyist to attempt personally and directly to influence any member of the legislature to vote for or against any

measure pending therein, or to be proposed, otherwise than by appearing before the regular committees thereof when in session, by newspaper publications, by public addresses to persons other than legislators or by written or printed statements, arguments or briefs delivered to each member of the legislature and before or within 5 days after delivering such statement, argument or brief, 3 copies thereof shall be deposited with the secretary of state. No officer, agent, appointee or employe of this state or of the United States, shall attempt to influence any member of the legislature to vote for or against any measure pending therein, affecting the pecuniary interests of such person, excepting in the manner authorized herein in the case of lobbyists. Nothing in this section shall be construed to deprive any citizen not lobbying for hire of his constitutional right to communicate with members of the legislature.

(2) Any person who limits his lobbying solely to appearances before legislative committees or either house in committee of the whole and registers his appearance on the records of such committee or house in writing, is not required to be licensed as a lobbyist, pay a license fee, register with the secretary of state or make any reports of expenditures.

(3) Whoever violates this section may be fined not more than \$200 or imprisoned not more than 6 months.

History: 1965 c. 659.

13.71 Lobbyists restricted during daily sessions. It is unlawful for any person lobbying to go onto the floor of the chamber of either house of the legislature during the daily sessions, except upon the invitation of such house.

History: 1965 c. 659.

13.72 Compensation for published articles on matters pending before legislature to be reported; penalty. (1) Whenever any thing of value is paid or a promise or agreement to pay any thing of value is given to the owner or publisher or any editor, reporter, agent or employe of any newspaper or other periodical for the publication therein of any article, editorial or other matter favoring or opposing, or which is intended or tends to favor or oppose, any bill, resolution or other matter pending in the legislature, excepting a paid advertisement showing the name and address of the person authorizing the publication and the amount paid or agreed to be paid therefor, the owner or publisher of such newspaper or periodical shall, within 10 days after such publication, file with the secretary of state a statement

showing the amount of money or other thing of value paid or agreed to be paid and the name and address of the person from whom such payment or agreement was received.

(2) Violation of this section is a misdemeanor and punishable by a fine of not less than \$500 nor more than \$5,000 for each offense.

History: 1965 c. 66 s. 6; 1965 c. 659.

SUBCHAPTER IV
LEGISLATIVE SERVICE AGENCIES

13.80 Legislative organization, joint committee on. The joint committee on legislative organization created by the joint rules of the legislature, hereafter referred to as the joint committee on legislative organization, is constituted a permanent joint legislative committee with such powers and authority as are provided by law. The committee shall be the policy-making board for and in general supervise the operation of all staff services of the legislature.

History: 1963 c. 149; 1965 c. 659.

13.81 Joint legislative council. (1) CREATION. There is created a joint legislative council of 19 members to consist of the members of the joint committee on legislative organization, the speaker pro tempore of the assembly, the 2 cochairmen of the joint committee on finance, the ranking minority member of the joint committee on finance from each house and, in addition, 3 senators and 5 assemblymen appointed as are standing committees in the respective houses. The appointive members shall be selected so that each congressional district of the state is represented on the joint legislative council by at least one member. The terms of all members shall expire on May 1 of the odd-numbered year. In the case of appointive senate members, vacancies occurring while the legislature is not in session shall be filled by the president pro tempore of the senate.

(2) MEETINGS. The council shall meet at least once in every 4 months. It, or any committee under ss. 13.82 to 13.84, may meet at such time and place as it determines upon the call of the respective chairman, but when one-third of the total voting membership of the council or of any such committee request that a meeting be held at a specific time and place, the respective chairman shall call a meeting for such time and place. No committee shall meet at a place outside this state without the prior consent of the council.

(3) REPORTS. The council shall prepare a

biennial report of its activities for the governor and the legislature. The council may issue special reports concerning any phase of its work or the work of any of its committees under ss. 13.82, 13.83 and 13.84 and shall provide for adequate distribution of such special reports. With any special report a committee may submit legislation recommended for passage to be introduced in the legislature by the council if a majority of the membership of the council vote to introduce such legislation.

(4) **STAFF.** The council may employ an executive secretary and such clerical, technical and professional assistants as may be necessary, within or without the classified service, and determine the qualifications and fix the compensation of such personnel.

History: 1965 c. 659.

13.82 Committees appointed by council.

For the purpose of providing information to the legislature, the joint legislative council may appoint committees consisting of one member of the council, members of the legislature and of citizens having special knowledge on the subject assigned by the council to be studied. Any vacancy on a committee shall be filled by the council. The executive secretary of the legislative council shall certify to the secretary of state the names of the membership of such committees. Citizen members may be reimbursed for their actual and necessary expenses incurred in performing their duties from the appropriations provided by s. 20.765.

(1) **STUDIES.** Every subject proposed by the legislature for study or investigation during the interim between legislative sessions shall be referred to the council and considered by the appropriate committee of the council. If the council determines that the proposed study or investigation is feasible and is not within a subject already assigned, it shall appoint a committee to conduct such study or investigation. The council, through its committees, may also make such surveys and studies, and compile such data, information and records, on any question, as in its judgment will be beneficial to the general welfare of this state. To this end the council:

(a) Shall maintain liaison with federal, state and local officials and agencies.

(b) May conduct research and secure information or data on any subject concerning the government and general welfare of the state and of its political subdivisions.

(c) Shall make recommendations for legislative or administrative action on any sub-

ject or question it has considered and, with the approval of a majority of its membership, submit, for introduction, legislation recommended for passage by one of its committees under this section or ss. 13.83 and 13.84.

(2) **PUBLIC HEARINGS.** The council or any committee thereof when so authorized by the council may hold public hearings at such times and places within the state as are determined, and make such investigations and surveys as are deemed advisable or necessary to accomplish the purposes and intent of this section. Any voting member of the council or of any committee may administer oaths to persons testifying before the council or any committee. By subpoena, issued over the signature of its chairman or acting chairman and served in the manner in which circuit court subpoenas are served, the council or any committee when authorized by the council, may summon and compel the attendance of witnesses. If any witness subpoenaed to appear before the council, or any committee thereof, refuses to appear or to answer inquiries propounded, the council or committee shall report the facts to the circuit court of Dane county, and such court shall compel obedience to such subpoena by attachment proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

History: 1965 c. 66 s. 8; 1965 c. 86, 249, 433, 659; 1967 c. 43, 291 s. 14.

13.83 Permanent council committees. The joint legislative council shall in each biennium create the committees enumerated in this section.

(1) **REMEDIAL LEGISLATION COMMITTEE.** The council shall in each biennium create a committee of 3 legislators, one of whom shall be a member of the council, to be known as the committee on remedial legislation, which shall consider such minor substantive correctional measures proposed by the various agencies of state government as will improve the administration of their offices. The committee on remedial legislation shall meet at intervals when the legislature is not in actual session and invite the agencies of government to submit their proposals of desirable minor substantive correctional measures at such meetings. The committee shall introduce in the house in which the chairman is a member those proposals which they consider desirable minor substantive correctional measures. The title and authorship of each proposal shall indicate the agency requesting the change.

The revisor of statutes shall serve as the nonvoting secretary of the committee on remedial legislation.

(2) EDUCATION COMMITTEE; AIDS ADJUSTMENT. The council shall in each biennium create a committee on education.

(a) Biennially in even-numbered years the education committee shall meet with the 2 cochairmen and the ranking minority member from each house of the joint committee on finance and shall consider the advisability of adjusting the guaranteed equalized valuation and the aid per resident pupil in average daily membership in the basic and integrated aid districts. Consideration shall be given to changes in valuations and school costs and to the sources of revenue available to meet the state appropriation required to meet any recommended adjustment in the guaranteed valuation or per pupil aids.

(b) The committee may recommend either an annual or biennial guaranteed equalized valuation and aid per resident pupil in average daily membership.

(c) The committee may conduct studies of the operation of the state aid formula.

(d) The committee shall report its findings and recommendations to the legislative council. The legislative council shall report its action on the findings and recommendations of the committee to the legislature.

(3) MENOMINEE INDIANS COMMITTEE. (a) The council shall in each biennium create a committee to study the problems and develop specific recommendations and legislative proposals relating to the transition of the Menominee Indians from federal control to local self-government. The committee shall select a chairman and vice chairman from among its members and designate one of the members serving by virtue of par. (b) 3 as the committee's corresponding secretary.

(b) The committee shall be composed of the following:

1. Three members to be named by the Menominee Indian tribe.

2. Three members, one each from Oconto, Menominee and Shawano counties, to be named by the county board of those counties.

3. Eight members representing the following state departments, such members to be the department head or a representative named by him:

- a. The department of taxation;
- b. The attorney general;
- c. The state department of public welfare;
- d. The state superintendent of public instruction;

- e. The highway commission;
- f. The conservation commission;
- g. The state board of health;
- h. The governor's commission on human rights.

4. One senator and 2 assemblymen, to be named by the legislative council.

(c) The actual and necessary expenses incurred in attending meetings of the committee shall be paid as follows:

1. The tribe shall pay the expenses of the tribal representatives. The legislative council may pay expenses incurred by tribal representatives, in performing their functions on the committee from funds under the administration of the legislative council.

2. The counties shall pay the expenses of the county board representatives.

3. The state departments shall pay the expenses of their representatives.

(d) The committee shall study the problems created by the transfer of controls of the Menominee Indian tribe from federal to state and local control in such fields as taxation, public welfare, education, highways, law enforcement and the adjustments required in the statutes to implement such transfer.

(e) The committee shall report from time to time to the legislative council in accordance with the time schedule made possible by the action of congress.

(f) The committee shall co-operate with the U. S. secretary of the interior and the several state departments in formulating plans for the future control of tribal property.

(4) JUDICIARY COMMITTEE; STATUTES AFFECTED BY SUPREME COURT DECISION. The council shall in each biennium create a committee on judiciary.

(a) The judiciary committee shall make recommendations regarding those statutes which the state supreme court in its opinions has stated are in conflict or ambiguous or unconstitutional or that a particular proposal for change is a legislative matter.

(b) The revisor of statutes shall report these opinions to the judiciary committee no later than August 1 of each even-numbered year. The judiciary committee shall review the cases and report any recommended legislation to the council for its consideration under s. 13.82 (1) (c).

History: 1961 c. 306 s. 1; 1963 c. 56, 522; 1965 c. 57, 163 s. 3; 1965 c. 659.

13.84 Interim study of insurance laws.

(1) PURPOSE. The legislature finds that the rapidly growing field of insurance requires a unified, comprehensive study of the state in-

insurance laws for the protection of the public welfare and interest, especially with respect to insurance policyholders and shareholders, insurers, their agents and personnel. This protection can best be achieved by a thorough, careful study and modernization, revision and codification of the insurance laws to reflect the expansion of the insurance field and its increased competitive nature under present conditions.

(2) **INTERIM STUDY COMMITTEE.** An interim committee of the legislative council is created to study the present insurance laws and make recommendations for their revision and codification. The committee shall consist of:

(a) Three senators and 3 assemblymen, at least one of whom shall be from each political party in each house, appointed as are standing committees of their respective houses;

(b) The commissioner of insurance or his representative;

(c) The attorney general or his representative;

(d) The president of the state bar of Wisconsin or his representative;

(e) Three public members appointed by the legislative council;

(f) A member of the legislative council, designated by the council, in addition to any council members appointed under par. (a).

(3) **ADVISORY COMMITTEE.** An advisory committee representing the insurance industry doing business in the state shall be appointed by the legislative council to advise and assist the committee and to provide such expert assistance to the committee staff as may be needed.

(4) **TERMS.** Committee members appointed under sub. (2) (a), (b), (c) and (d) shall retain their membership while they hold their qualifying status, and until their successors in status are appointed and qualified. Members appointed under sub. (2) (e) shall retain their membership at the pleasure of the legislative council. The member designated under sub. (2) (f) shall retain his membership until replaced by the legislative council at its pleasure or until he ceases to be a council member, whichever occurs first. Vacancies shall be filled as are original appointments.

(5) **REPORTS.** The committee shall report its findings, conclusions and recommendations to the legislative council at the completion of the study, and the council shall make its report of the study to the legislature, with suggested legislation, within a reasonable time thereafter.

(6) **STAFF.** The legislative council may authorize technical and clerical staff necessary to discharge the duties of the committee, and may fix their compensation.

History:—1965 c. 406, 659.

13.85 Capitol area planning program.

(1) It is the intent of the legislature that state office facilities be developed in close proximity to the state capitol building in Madison and that no additional state office facilities be built in the Madison area until long-range plans for the development of the capitol area have been approved by the legislature in a joint resolution approving a report as spread upon the legislative journals.

(2) In order to formulate long-range plans for the development of the capitol area, a joint state-city of Madison planning committee is established. The committee shall consist of the governor or his designee; 2 members appointed by the governor; 2 senators and 2 assemblymen, one from each major political party in each house, appointed as are standing committees of their respective houses; the mayor of the city of Madison or his appointee; and 4 members appointed by the mayor. Vacancies shall be filled as are original appointments. The committee shall terminate on April 1, 1969, or prior to that date upon submission of a final report. The building commission staff shall perform all necessary administrative services for the committee. The building commission staff shall not restrict the projects and expenditures of the committee.

(3) The committee may consult with federal, state, county and city officials and with leaders of the business community of the city of Madison in order to determine the optimum land use in the capitol area. The committee may request the assistance of state or city of Madison planning departments and may use previously prepared materials from these departments.

(4) The committee may employ necessary clerical assistants and professional consultants and may determine their qualifications and fix their compensation.

(5) Members of the committee shall receive no compensation, but may be reimbursed for actual expenditures necessary to the discharge of their duties.

(6) The committee shall make reports to the governor, the legislature, the building commission and to the mayor and city council of the city of Madison. A preliminary report shall be made not later than 6 months after January 4, 1968.

(7) **CAPITOL AREA PLANNING.** (a) *General program operations.* The building commission shall release to the committee from planning moneys appropriated to it the sum of \$25,000 as matching funds for the state's share of the cost of the study of the planning committee established under s. 13.85.

(b) *Gifts and donations.* Any gifts and donations received by the building commission for the purposes of the study under s. 13.85, may be expended for the purposes of the committee established under s. 13.85 without requiring matching funds by the city of Madison.

History: 1967 c. 256.

13.90 Duties of the joint committee on legislative organization. The joint committee on legislative organization shall act as the policy-making board of the legislative reference bureau, the revisor of statutes bureau, and the legislative audit bureau. The committee shall:

(1) Determine the types of tasks to be assigned to the 3 bureaus within statutory limitations and the quantity and quality thereof.

(2) Consider and approve the budget of each bureau.

(3) Meet not less than once in every 4 months to carry out its policy-making duties, and for the purposes of this subsection the committee may provide a method of procuring decisions by mail.

(4) Make such rules under ch. 227 and adopt such regulations as are required for the proper operation of the legislative reference bureau and the revisor of statutes bureau.

(5) Select the chief of each bureau. The appointment of each chief shall be made without regard to political affiliation in order to safeguard the nonpartisan character of each bureau. The committee shall designate an employe of each bureau to exercise the powers and authority of each bureau chief in case of his absence or disability.

(6) Beginning July 1, 1966, employ an outside staff of professional consultants for the purpose of studying ways to improve legislative staff services and organization. Without limitation because of enumeration, this study shall cover legislative service agencies, the management of legislative business, legislative compensation, legislative office space, and the increasing amounts of time required by legislative duties. The recommendations made by the consultants under this subsection shall be submitted to the committee under s. 15.70 for their review and recommendation before they

are reported to the joint committee on legislative organization.

(7) Negotiate a contract for the conversion of the statutes into machine-readable form for computer use which shall be signed by the chairman. To the extent possible, the conversion shall permit such use not only for computerized research based on the statute text, but also additional future applications such as bill drafting with computer assistance and statute printing by automated typesetting methods.

History: 1965 c. 659; 1967 c. 43.

13.905 Legislative conduct. The joint committee on legislative organization may inquire into alleged misconduct by members or employes of the legislature.

History: 1965 c. 659.

13.91 Legislative council staff. There is created a bureau known as the "Legislative Council Staff," headed by the executive secretary of the legislative council. The legislative council staff may call upon any state department, agency or officer, or any agency of any political subdivision, for such facilities and data as are available and such departments and agencies shall co-operate with the legislative council staff to the fullest possible extent.

(1) **DUTIES OF THE STAFF.** The legislative council staff shall:

(a) Provide staff services to the joint legislative council under s. 13.81 and to any of the committees appointed under ss. 13.82, 13.83 and 13.84.

(b) As directed by the joint legislative council, gather information and prepare written studies on topics referred to the council by the legislature or which seem desirable to the council.

(c) Assist the legislative programs study committee under s. 13.49 in the completion of the tasks assigned to it.

(2) **DUTIES OF THE EXECUTIVE SECRETARY.** The executive secretary of the legislative council shall:

(a) Supervise and train the personnel assigned to him, including legislative interns under s. 13.49.

(b) Supervise all expenditures of the legislative council staff.

(c) Attend all scheduled meetings of the joint legislative council under s. 13.81, of any of its committees under s. 13.82 and of the committees under s. 13.83 (2) and (4).

(d) Attend all scheduled meetings of the

interim insurance law study committee under s. 13.84.

(e) Attend all meetings of the commission on interstate co-operation under s. 13.54 and the midwest and national meetings in which the commission participates.

(f) Attend all meetings of the commission on uniform state laws under s. 13.55 and the midwest and national meetings in which the commission participates.

History: 1965 c. 659.

13.92 Legislative reference bureau. There is created a bureau to be known as the "Legislative Reference Bureau," headed by the chief of legislative reference bureau under the classified service. The legislative reference bureau shall be strictly nonpartisan and shall at all times observe the confidential nature of the reference or drafting requests received by it.

(1) DUTIES OF THE BUREAU. (a) *Reference section.* The legislative reference bureau shall perform reference services for all members of the legislature equally and impartially and to the limits of its facilities and staff. Such reference services shall be available also to public officials, students of government and citizens generally. In the performance of its reference services, the bureau shall:

1. Collect, index and make available in the most suitable form to legislators, other public officials, students of government and citizens generally, information relative to governmental subjects which will aid the legislature, other public officials and the citizens generally, to perform their duties in the most efficient and economical manner.

2. Maintain an adequate collection of public documents of Wisconsin and other states and carry out loan arrangements with libraries.

3. Maintain the drafting records of legislation introduced in prior sessions of the legislature and utilize such records to provide information on questions of legislative intent. Such records shall be retained in the capitol building at all times.

4. Utilize the materials assembled in its collection and other suitable materials to prepare studies and reports providing pertinent information regarding subjects which are or may become items of concern to the legislature, other public officials or the public generally, and where warranted publish such reports and studies in the most expeditious manner.

5. Prepare copy for the biennial Wisconsin Blue Book.

(b) *Drafting section.* The legislative reference bureau shall provide drafting services equally and impartially and to the limits of its facilities and staff. In the performance of its drafting services, the bureau shall:

1. Prepare in the proper form all legislation to be introduced in the legislature.

2. Prepare in plain language an analysis of each original measure, to be printed with the measure when it is introduced. On the printed measure, the analysis shall be displayed single-spaced between the title and the enacting clause.

(c) *Drafting records; when confidential.* While the legislature remains in session the drafting section shall maintain the files for all drafting requests received during such session, but after the adjournment sine die the drafting records to legislation introduced shall be turned over to the reference section under par. (a) 3. Records of drafting requests which did not result in legislation introduced shall remain confidential at all times and may be maintained by the drafting section in such form as will facilitate its operations.

(2) DUTIES OF THE CHIEF. The chief of the legislative reference bureau shall:

(a) Employ under the classified service, and supervise and train the personnel assigned to him.

(b) Supervise all expenditures of the legislative reference bureau.

(c) Serve as editor of the biennial Wisconsin Blue Book.

(d) Co-operate with the legislative service agencies of other states and foreign countries toward the better exchange of information.

(e) Attend all meetings of the commission on interstate co-operation under s. 13.54 and the midwest and national meetings in which the commission participates.

(f) Attend, by himself or through a professional employe under sub. (1) (b) designated by him, all meetings of the commission on uniform state laws under s. 13.55 and the midwest and national meetings in which the commission participates.

History: 1963 c. 149; 1965 c. 26, 66 s. 8; 1965 c. 249, 659; 1967 c. 43.

13.93 Revisor of statutes bureau. There is created a bureau to be known as the "Revisor of Statutes Bureau," headed by a chief known as the "Revisor of Statutes" under the classified service. The revisor of statutes bureau shall be strictly nonpartisan.

(1) DUTIES OF THE BUREAU. The revisor of statutes bureau shall prepare copy for the

biennial Wisconsin statutes, and for this purpose it:

(a) Shall formulate and prepare a definite plan for the order, classification, arrangement, printing and binding of the statutes and session laws, and between and during sessions of the legislature prepare and at each session of the legislature present to the judiciary committee of the senate or the assembly or to the joint committee on revisions, repeals and uniform laws, in such bill or bills as may be thought best, such consolidation, revision and other matter relating to the statutes or any portion thereof as can be completed from time to time.

(b) May renumber any chapter or section of the statutes for the purpose of revision, and shall change reference numbers to agree with any renumbered chapter or section. Where the term "preceding section" or similar expressions are used in the statutes the revisor of statutes may change the same by inserting the proper section or chapter reference.

(c) May, where the application or effect of a statute, by its terms, depends on the time when the act creating the statute took effect, substitute the actual effective date for the various forms of expression which mean that date, such as "when this act (or chapter, or section) takes effect", or "after (or before) the effective date of this act (or chapter, or section)", in preparing copy for the biennial printing of the Wisconsin statutes.

(d) May delete useless words such as "of the statutes", "of this section", "hereof", "immediately above", "inclusive" and the like, where such words appear immediately after a chapter, section or subsection reference.

(e) May delete useless words in statutory references such as "any of the provisions of" or "any of the requirements of" and the like when they appear immediately before a reference to a chapter, section, subsection or paragraph of the statutes.

(f) May delete the word "hereby" whenever used in connection with the verbs "consents", "grants", "gives" or "declares" or other verbs.

(g) May substitute the word "deems" for the words "may deem".

(h) May substitute the word "may" for the phrase "is hereby authorized to" or similar phrases.

(i) May substitute "this state" for the phrase "the state of Wisconsin".

(j) May change an incorrect form of a pronoun to the correct form.

(k) May insert the U.S.C. citations for federal acts.

(l) May delete surplus words and modernize language in penalty provisions to correspond to current drafting style. No such change shall have the effect of increasing or decreasing any penalty.

(1m) 1970 ANNOTATIONS. The revisor of statutes shall prepare and deliver to the department of administration, as soon as practicable after the end of the regular legislative session of 1969, a printer's copy for a volume to be designated "Wisconsin Annotations" and to contain the Wisconsin constitution, notes of the legislative history of the sections of the statutes and annotations of court decisions interpreting the Wisconsin constitution and statutes, and such other matter as the revisor deems important. The department shall order printed, and the state printer shall print and deliver, the number of copies ordered. This edition of the annotations shall be printed and published as supplement to the 1969 Wisconsin statutes; and the laws and the contract governing the printing and distribution of those statutes shall, as far as applicable, govern the printing and sale of the annotations, except that the annotations shall be sold at a price fixed by the director of purchases and services at approximately the cost thereof and there shall be no free distribution thereof except as provided in ss. 35.84 (2) (a), (k), (l), (4) (c) and (5) (a), 35.85 (5) and (11m) and 44.06 (1). The director of purchases and services shall designate the type, and shall determine the number of copies to be printed.

(2) DUTIES OF THE REVISOR OF STATUTES. The revisor of statutes shall:

(a) Employ under the classified service, and supervise and train the personnel assigned to him.

(b) Supervise all expenditures of the revisor of statutes bureau.

(c) Serve as editor of the biennial Wisconsin statutes.

(d) Attend all scheduled meetings of the committee on remedial legislation under s. 13.83(1).

(e) Attend all scheduled meetings and serve as the nonvoting secretary of the committee for review of administrative rules under s. 13.56.

(f) Attend all meetings of the commission on uniform state laws under s. 13.55 and the midwest and national meetings in which the commission participates.

(g) Attend the midwest and national leg-

islative service conferences of the council of state governments.

History: 1963 c. 149; 1965 c. 66 s. 8; 1965 c. 249, 659; 1967 c. 263.

Cross Reference: For construction of a revised statute, see 990.001 (7) and cases cited under 990.001.

13.94 Legislative audit bureau. There is created a bureau to be known as the "Legislative Audit Bureau," headed by a chief known as the "State Auditor" outside the classified service. The bureau shall be strictly nonpartisan. Subject to s. 16.275 (6) (a) and (c), the state auditor or his designated employes shall at all times with or without notice have access to all state departments and to any books, records or other documents maintained by such agencies and relating to their expenditures, revenues, operations and structure. In the discharge of any duty imposed by law, the state auditor may subpoena witnesses, administer oaths and take testimony and cause the deposition of witnesses to be taken as prescribed for taking depositions in civil actions in circuit courts.

(1) **DUTIES OF THE BUREAU.** The legislative audit bureau shall be responsible for conducting postaudits of the accounts and other financial records of state agencies to assure that all financial transactions have been made in a legal and proper manner. In connection with such postaudits, the legislative audit bureau shall review the performance and program accomplishments of the agency during the fiscal period for which the audit is being conducted to determine whether the agency carried out the policy of the legislature and the governor during the period for which the appropriations were made. The legislative audit bureau shall audit the fiscal concerns of the state as required by law. To this end, it shall:

(a) Annually, audit the books and accounts of the treasurer, the moneys on hand in the treasury and all bonds and securities belonging to all public funds on deposit in the treasury or properly accounted for by the treasurer, and report the result of such examination in writing to the governor and the joint committee on finance, specifying therein particularly the amount and kind of funds and of all such bonds and securities. The bureau shall transmit a certified copy of such report to the outgoing treasurer and his successor.

(b) Audit the records of every state department at least once each 3 years and, in conjunction therewith, reconcile the records of the department audited with those of the department of administration. Within 30 days

after completion of any such audit, the bureau shall file with the governor, the department of administration, the legislative reference bureau and the department audited, a detailed report thereof, including its recommendations for improvement and efficiency and including specific instances, if any, of illegal or improper expenditures.

(c) Annually, audit the central accounting records of the department of administration. A detailed report of such audit shall be filed as provided by par. (b), and copies shall be provided to each member or member-elect of the legislature and shall be available in limited number to the public. The bureau shall also prepare a summary of such audit report, for distribution in the same manner as the Wisconsin Blue Book under s. 35.84.

(d) At least once in each year, and at such other times as the governor or legislature directs, examine and see that all the money appearing by the books of the department of administration and state treasurer as belonging to the several funds is in the vaults of the treasury or in the several state depositories. In case of a deficiency, the governor shall require the treasurer to make up such deficiency immediately; and if such treasurer refuses or neglects for 10 days thereafter to have the full sum belonging to said funds in the treasury the attorney general shall institute proceedings to recover the same.

(e) Make such special examinations of the accounts and financial transactions of any department or officer as the governor or legislature directs.

(f) Certify to the treasurer the balance in the treasury when he came into office and all bonds and securities belonging to all public funds on deposit in the treasury or properly accounted for and transmit a certified copy thereof to the outgoing treasurer and his successor.

(g) Require each department of state government to file with the bureau on or before September 1 of each year a report on all receivables due the state as of the preceding June 30 which were occasioned by activities of the reporting department. Said report shall show the aggregate amount of such receivables according to fiscal year of origin and collections thereon during the fiscal year preceding the report. The state auditor may require any department to file with his bureau a detailed list of the receivables comprising the aggregate amounts shown on the above indicated reports.

(h) Disseminate information concerning

state government accounting, auditing and fiscal matters.

(i) Prepare a statement of recommendations submitted in each audit report pertaining to state government operations, which statement shall be available to any person upon request.

(j) Prepare a biennial report of its activities, including recommendations for efficiency and economy in the expenditure of appropriations made by the legislature. Such report shall be filed with the governor and the department of administration on or before December 1 in each even-numbered year and with each house of the legislature at the beginning of each regular session.

(2) STATE AUDITOR, PROFESSIONAL QUALIFICATIONS. To be eligible for appointment as state auditor a person shall have the following qualifications:

(a) Training equivalent to that represented by graduation from a college or university of

recognized standing with major work in accounting, finance, economics and statistics.

(b) At least 5 years of successful experience involving the performance of responsible work in fiscal accounting, finance and administration.

(c) Recognition in the professional accounting field as a holder of the certificate of certified public accountant.

(3) DUTIES OF THE STATE AUDITOR. The state auditor shall:

(a) Direct the immediate operations of the bureau.

(b) Supervise and train the personnel assigned to him.

(c) Supervise all expenditures of the bureau.

(e) Subject to the approval of the joint committee on legislative organization, attend such midwest and national meetings as will benefit the operation of the bureau.

History: 1963 c. 225; 1965 c. 163, 249 s. 78; 1965 c. 659; 1967 c. 26.