

**1999 DRAFTING REQUEST****Assembly Joint Resolution**Received: **10/25/1999**Received By: **dykmapj**Wanted: **Today**

Identical to LRB:

For: **Scott Jensen (608) 266-3387**By/Representing: **RJ Pirlot**This file may be shown to any legislator: **NO**Drafter: **dykmapj**

May Contact:

Alt. Drafters:

Subject: **Legislature - rules**Extra Copies: **JTK  
RAC****Pre Topic:**

No specific pre topic given

**Topic:**

Meeting of members of conference committees

**Instructions:**

- See Attached 1. No more than two members of a conference committee may meet, except in public.
2. Conference committee co-chairs may not meet, except in public.
  1. We want to allow a Foti-Decker nonpublic meeting to occur while a Gard-Decker nonpublic meeting is occurring in another location.
  2. We want to prohibit a Jensen-Chvala nonpublic meeting, not a Jensen-George or Foti-Chvala nonpublic meeting.
  1. Also, we don't want to prohibit, in the current example, a Chvala-Burke-Decker nonpublic meeting from occurring. It appears 3805/2 would not allow such a meeting, if a conference committee is actually a meeting of two conference committees. Could we, instead of using the reference to 19.82(2), clear it up by stating one-half or more of the joint conference committee may not meet?

R.J. Pirlot  
 Policy Director and Legal Counsel  
 Office of Assembly Speaker Scott R. Jensen

Direct: 608-261-9482  
 Fax: 608-266-5123

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	dykmapj 10/25/1999	jgeller 10/25/1999	jfrantze 10/25/1999	_____	lrb_docadmin 10/25/1999		
/2	dykmapj 10/25/1999	jgeller 10/25/1999	hhagen 10/25/1999	_____	lrb_docadmin 10/25/1999		
/3	dykmapj 10/26/1999		jfrantze 10/26/1999	_____	lrb_docadmin 10/26/1999		
/4	dykmapj 10/26/1999		jfrantze 10/27/1999	_____	lrb_docadmin 10/27/1999	lrb_docadmin 10/28/1999	

FF Sent For:

<END>

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				10/26			

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Page 2

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

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FE Sent For:

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<END>

1999 DRAFTING REQUEST

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1/2 10/25 jg

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1?	dykmapj	1/25 jg	10/25	10/25			

FE Sent For:

<END>

**Dykman, Peter**

---

**From:** Pirlot, R.J.  
**Sent:** Friday, October 22, 1999 2:21 PM  
**To:** Dykman, Peter

Peter,

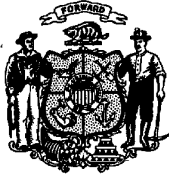
The Speaker's proposed joint rule change relates to a conference committee and is as follows:

1. No more than two members of a conference committee may meet, except in public.
2. Conference committee co-chairs may not meet, except in public.

Regards,

**R.J. Pirlot**  
Policy Director and Senior Legal Counsel  
Office of Assembly Speaker Scott R. Jensen

Direct: 608-261-9482  
Fax: 608-266-5123



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-3805/1

PJD...:~:~:

Kmg  
↑

1999 ASSEMBLY JOINT RESOLUTION

~~NOON~~  
NOW

1 **To create** joint rule 28; **relating to:** prohibiting the cochairpersons of committees  
2 of conference from meeting in private and prohibiting more than one other  
3 member of that committee from each house from meeting in private at any one  
4 time.

---

*Analysis by the Legislative Reference Bureau*

This joint resolution prohibits the cochairpersons of every committee of conference from meeting in private and prohibits more than one other member of that committee of conference from each house from meeting in private at any one time.

---

5 **Resolved by the assembly, the senate concurring, That:**

6 **SECTION 1.** Joint rule 28 is created to read:

7 Joint Rule 28. **Meeting of members of committces of conference open to**  
8 **the public.** (1) Except as otherwise provided in sub. (2), every meeting of one or  
9 more members of a committee of conference from one house with any other member  
10 of that committee of conference from the other house shall be open to the public.





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-3805/2  
PJD:kmg:jf

Handwritten initials and a checkmark.

## 1999 ASSEMBLY JOINT RESOLUTION

Today

1 **To create** joint rule 28; **relating to:** prohibiting the chairpersons of committees of  
2 conference from meeting together in private and prohibiting more than 2  
3 members of committees of conference from meeting together in private.

---

*Analysis by the Legislative Reference Bureau*

This joint resolution prohibits the chairpersons of every committee of conference from meeting together in private and prohibits more than 2 members of every committee of conference from meeting together in private.

---

4 **Resolved by the assembly, the senate concurring, That:**

5 **SECTION 1.** Joint rule 28 is created to read:

6 Joint Rule 28. **Meeting of members of committees of conference open to**  
7 **the public.** (1) In this rule "meeting" has the meaning given in section 19.82 (2) of  
8 the statutes.

9 (2) A member or chairperson of a committee of conference may not meet at the  
10 same time, for a meeting that is not open to the public, with more than one other  
11 member or chairperson of that committee of conference.





---

**Dykman, Peter**

---

**From:** Pirlot, R.J.  
**Sent:** Tuesday, October 26, 1999 8:58 AM  
**To:** Dykman, Peter  
**Cc:** Karius, Bob; Heifetz, Michael

Peter,

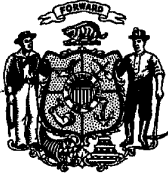
I reviewed 3805/2 and it still appears a Foti-Decker nonpublic meeting could not occur at the same time as a Gard-George nonpublic meeting held in another location. We want to allow this.

Also, we don't want to prohibit, in the current example, a Chvala-Burke-Decker nonpublic meeting from occurring. It appears 3805/2 would not allow such a meeting, if a conference committee is actually a meeting of two conference committees. Could we, instead of using the reference to 19.82(2), clear it up by stating one-half or more of the joint conference committee may not meet?

**R.J. Pirlot**

Policy Director and Legal Counsel  
Office of Assembly Speaker Scott R. Jensen

Direct: 608-261-9482  
Fax: 608-266-5123



## 1999 ASSEMBLY JOINT RESOLUTION

*Mid  
afternoon  
today*

1 **To create** joint rule 28; **relating to:** prohibiting the cochairpersons of committees  
2 of conference from conferring together in private and permitting less than  
3 one-half of the appointees to committees of conference to confer together at the  
4 same time in private.

---

### *Analysis by the Legislative Reference Bureau*

This joint resolution prohibits the cochairpersons of every committee of conference from conferring together in private and permits less than one-half of the appointees to every committee of conference to confer together at the same time in private.

---

5 **Resolved by the assembly, the senate concurring, That:**

6 **SECTION 1.** Joint rule 28 is created to read:

7 Joint Rule 28. <sup>✓</sup> **When conferences of members of committees of**  
8 **conference open to public.** (1) A member or cochairperson of a committee of  
9 conference may confer together with more than one other member or cochairperson  
10 of the committee at the same time, for a conference that is not open to the public, if

1 all of those conferring together at that time make up less than one-half of the persons  
2 appointed to the committee.

3 (2) A cochairperson of a committee of conference may not confer, for a  
4 conference that is not open to the public, with the cochairperson of the committee  
5 from the other house.

6 (END)

## Dykman, Peter

---

**From:** Pirlot, R.J.  
**Sent:** Tuesday, October 26, 1999 4:33 PM  
**To:** Dykman, Peter  
**Cc:** Karius, Bob; Heifetz, Michael  
**Subject:** RE:

Please see my responses below.

-----Original Message-----

**From:** Dykman, Peter  
**Sent:** Tuesday, October 26, 1999 4:11 PM  
**To:** Pirlot, R.J.  
**Cc:** Karius, Bob; Heifetz, Michael  
**Subject:** RE:

Thanks. I will start sub. (1) with "Except as otherwise provided in sub. (2), a".

Jeff Kuesel has finally had the time to review this draft in light of his experience and expertise in drafting in the open meetings area. He recommends that I delete ", for a conference that is not open to the public, " and substitute "in private". I did not use private because it is not used in subchapter V of ch. 19, stats., and is not used in legislative rules, although it does simplify and shorten the draft. Please don't make this change - the "not open to the public" language seems more harmonious with Joint Rule 27.

Jeff also recommends that "or cochairperson" be deleted from sub. (1) because cochairpersons are members. I would not have added those words either IF sub. (2) didn't mention cochairpersons. I did not want the implication that chairpersons were not covered by sub. (1). He also recommends that "members" be substituted for "persons appointed", which I also used because I did not want the implication that chairpersons were not covered by sub. (1). However, if you want "or cochairpersons" deleted., it makes sense that "members" be substituted for "persons appointed". Yes, please make this change.

Jeff also recommends deleting "at the same time" because it is unnecessary when the draft uses "confer together". I agree, but I included the words because of your concerns and they cause no harm. No, please don't make this change.

Jeff also recommends that "one or more other members" be substituted for "more than one other member". I think that it is an improvement. Yes, please make this change.

Which of these suggestions should I include in the next draft?

-----Original Message-----

**From:** Pirlot, R.J.  
**Sent:** Tuesday, October 26, 1999 2:55 PM  
**To:** Dykman, Peter  
**Cc:** Karius, Bob; Heifetz, Michael  
**Subject:** RE:

Peter,

Does (1) need to say "subject to the limitations of (2)"?

**R.J. Pirlot**

Policy Director and Legal Counsel  
Office of Assembly Speaker Scott R. Jensen

Direct: 608-261-9482  
Fax: 608-266-5123

-----Original Message-----

**From:** Dykman, Peter  
**Sent:** Tuesday, October 26, 1999 12:34 PM  
**To:** Pirlot, R.J.  
**Cc:** Karius, Bob; Heifetz, Michael  
**Subject:** RE:

Here is the next version. It has not been edited. PJD << File: 99-38053.pdf >>

-----Original Message-----

**From:** Pirlot, R.J.  
**Sent:** Tuesday, October 26, 1999 8:58 AM  
**To:** Dykman, Peter  
**Cc:** Karius, Bob; Heifetz, Michael  
**Subject:**

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**1999 ASSEMBLY JOINT RESOLUTION**

forwarded  
to  
typing

Wed AM

redraft  
has  
been  
run  
from 13 to  
14

Except as otherwise  
provided in sub. (2), a

1 **To create** joint rule 28; **relating to:** prohibiting the cochairpersons of committees  
2 of conference from conferring together in private and permitting less than  
3 one-half of the ~~appointees to~~ <sup>members of</sup> committees of conference to confer together at the  
4 same time in private.

members  
of

**Analysis by the Legislative Reference Bureau**

This joint resolution prohibits the cochairpersons of every committee of conference from conferring together in private and permits less than one-half of the ~~appointees to~~ every committee of conference to confer together at the same time in private.

5 **Resolved by the assembly, the senate concurring, That:**

6 **SECTION 1.** Joint rule 28 is created to read:

7 Joint Rule 28. **When conferences of members of committees of**  
8 **conference open to public.** (1) ~~A~~ <sup>one or more</sup> member ~~or cochairperson~~ <sup>of</sup> a committee of  
9 conference may confer together with ~~more than one~~ <sup>other</sup> member ~~or cochairperson~~  
10 of the committee at the same time, for a conference that is not open to the public, if

1 all of those conferring together at that time make up less than one-half of the persons  
2 *members of* appointed to the committee.

3 (2) A cochairperson of a committee of conference may not confer, for a  
4 conference that is not open to the public, with the cochairperson of the committee  
5 from the other house.

6 (END)



**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU**  
**Legal Section Telephone: 266-3561**  
**5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

**Date:** 10/27/1999

**To:** Representative Jensen

**Relating to LRB drafting number:** LRB-3805

**Topic**

Meeting of members of conference committees

**Subject(s)**

Legislature - rules

1. **JACKET** the draft for introduction Jensen, Foti, Gard, Porter  
in the **Senate** \_\_\_ or the **Assembly**  (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_.  
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_.  
If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Attorney Peter J. Dykman, General Counsel  
Telephone: (608) 266-7098