

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2377/1dn
JEO:cmh:hmh

April 6, 1999

Proposed s. 13.0975 (5) provides that no public hearing may be held and no committee vote taken on a bill requiring a prison impact assessment until the assessment is prepared. This provision creates a rule of procedure under article IV, section 8, of the constitution. The supreme court has held that the remedy for noncompliance with this type of provision lies exclusively within the legislative branch. See *State ex rel. La Follette v. Stitt*, 114 Wis. 2d 358, 363-369 (1983). In other words, while this type of provision may be effective to govern internal legislative procedure, the courts will not enforce the provision. In addition, if legislation is enacted using a procedure that contravenes the provision, the validity of the enactment is not affected.

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