2001 ASSEMBLY BILL 520

September 28, 2001 – Introduced by Representatives Ott, Owens, Ainsworth, Gronemus, Jensen, Jeskewitz, Kestell, Krawczyk, Ladwig, M. Lehman, Lippert, McCormick, Montgomery, Musser, Olsen, Rhoades, Ryba, Stone, Suder, Sykora, Urban and Vrakas, cosponsored by Senators Roessler, Darling, Harsdorf and Huelsman. Referred to Committee on Judiciary.

- 1 AN ACT *to amend* 17.20 (2) (a); and *to create* 13.37 of the statutes; **relating to:**
- 2 effect of nonaction of senate on nominations by governor.

Analysis by the Legislative Reference Bureau

This bill provides that a nomination of the governor for appointment to a statutory office is considered confirmed 180 days after its submission if it has not been rejected by the senate or withdrawn by the governor.

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

Section 1. 13.37 of the statutes is created to read:

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- 13.37 Effect of nonaction of senate on nominations by governor. A nomination submitted to the senate by the governor for appointment to an office created by statute that requires the advice and consent of the senate is considered confirmed if it is not confirmed or rejected by the senate or withdrawn by the governor within 180 days after its date of submission.
- **Section 2.** 17.20 (2) (a) of the statutes is amended to read:

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17.20 (2) (a) Vacancies occurring in the office of any officer normally nominated by the governor, and with the advice and consent of the senate appointed, may be filled by a provisional appointment by the governor for the residue of the unexpired term, if any, subject to confirmation by the senate. Any such appointment shall be in full force until acted upon the appointee is confirmed by the senate, and when confirmed by the senate shall continue for the residue of the unexpired term, if any, or until a successor is chosen and qualifies. A provisional appointee may exercise all of the powers and duties of the office to which such person is appointed during the time in which the appointee qualifies. Any appointment made under this paragraph which is withdrawn or rejected by the senate shall lapse. When a provisional appointment lapses, a vacancy occurs. Whenever a new legislature is organized, any appointments then pending before the senate shall be referred by the president to the appropriate standing committee of the newly organized senate.

14 (END)