

2001 DRAFTING REQUEST

Assembly Joint Resolution

Received: **09/05/2000**

Received By: **dykmapj**

Wanted: **Soon**

Identical to LRB: **99-4949/P2**

For: **Scott Jensen (608) 266-3387**

By/Representing: **R.J. Pirlot**

This file may be shown to any legislator: **NO**

Drafter: **dykmapj**

May Contact: **Rep. Freese**

Alt. Drafters:

Subject: **Legislature - rules**

Extra Copies: **SRM**

Pre Topic:

No specific pre topic given

Topic:

Changes to joint rules

Instructions:

See Attached
employee and other style committee changes and updates

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 01/24/2001		haugeca 01/24/2001	_____	lrb_docadmin 01/24/2001	lrb_docadmin 01/24/2001	

*Emailed
1-23-01
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<END>

FE Sent For:

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Subject: Legislature - rules

Extra Copies:

to Doug (Chvda) [unclear]
& Rep Freese

Pre Topic:

No specific pre topic given

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employee and other style committee changes and updates

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1/?	dykmapj	11 wj 1/24	CH 1-24	CH 1-24		for assembly	

FE Sent For:

<END>

Dykman, Peter

From: Pirlot, R.J.
Sent: Monday, January 15, 2001 2:56 PM
To: Dykman, Peter
Cc: Freese, Steve; Richard, Rob

LRB 0060/P5:

1. Assembly Rule 5: add provision of calendars to Chief Clerk's duties.
2. Assembly Rule 6: delete provision of calendars from Sergeant at Arms' duties.

LRB 0059/P2:

1. Electronic Fiscal Estimate Procedure: where appropriate, add language that this procedure is electronic "unless directed otherwise by the presiding officers." The goal is to create a back-up procedure in case of system failure.

R.J. Pirlot

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

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

Dykman, Peter

From: Pirlot, R.J.
Sent: Friday, January 12, 2001 5:04 PM
To: Dykman, Peter
Cc: Freese, Steve; Richard, Rob

Peter,

Please make the following changes to 0059/P2:

Page 4, lines 6-7: we'd like to limit WHICH members of the minority may be on a conference committee; if some of the minority party members voted with the majority and some did not, only minority party members who voted with the majority may be considered for appointment to the conference committee; if all members of the minority party did not vote with the majority, any minority party members may be considered for appointment to the conference committee.

Page 6, lines 1-6: delete.

Page 6, lines 10-25: delete.

Page 7, lines 1-7: delete.

Page 7, lines 10-12: delete from "Neither" to end of line 12.

Page 7, lines 13-23: delete.

Page 8, line 15: after the first "," insert "group, or organization"

Page 8, line 24: delete "a" and, instead, insert "an inappropriate,"

Page 9, line 5: delete "worksheet" and, instead, insert "format"

Page 9, lines 5-11: delete "This worksheet" in line 5 to "the citation" in line 11. Instead, insert "Citations shall contain the State Seal and signature blocks for the President of the Senate, the Speaker of the Assembly and the Chief Clerk of the house of origin." Continue on with "Because a citation . . ."

Page 9, lines 14-16: delete.

Page 17, lines 13-22: delete.

Page 21: Chapter 5-Fiscal Estimate Procedure. Please change to incorporate LRB 0836/P1.

Page 32, line 5: after "governor" insert "or the committee on organization of either house."

Page 52, lines 4-19: delete.

Page 54, lines 9-18: delete.

Page 62, lines 4-5: delete.

Where appropriate: both houses are interested in allowing jacking of bills, resolutions and joint resolutions on the floor. Please draft a proposal to accomplish this.

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

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Fax: 608-266-5123

Dykman, Peter

From: Pirlot, R.J.
Sent: Monday, December 11, 2000 2:04 PM
To: Dykman, Peter
Cc: Freese, Steve; Richard, Rob
Subject: LRB 0060/P2

Peter,

Please make the following changes:

Page 6, Assembly Rule 4: we'd like more of a succession spelled out. If the speaker, speaker pro tempore and majority leader are absent, the assistant majority leader shall preside. If those four officers are gone, the majority caucus chairperson shall preside. Beyond that, may we have the speaker pre-designate a succession? The thought is we have officers which are not required by the rules, but, we'd like to include them in the succession.

R.J. Pirlot

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Dykman, Peter

From: Pirlot, R.J.
Sent: Wednesday, January 03, 2001 11:38 AM
To: Dykman, Peter
Cc: Freese, Steve; Richard, Rob
Subject: LRB 0060/P3

Page 7, line 5: insert "and" between "tempore," and "the majority leader".

Page 19, note: We requested "or to a joint legislative committee" to the end of line 2 because we wanted to allow Assembly members to vote by paper ballot in *any* joint committee. Your note only talks about the committee on assembly organization and the joint committee on legislative organization. Under the change we requested, would an Assembly member of JCRAR be able to vote by paper ballot if a paper ballot is sent out? Should we change "a" in line 2 to "any"?

Page 33, line 4: delete "half" and, instead, insert "quarter"; delete "immediately" and, instead, insert "one-quarter hour". (Solie request.)

Page 34, line 10: delete "parlor, lobbies.". (Solie request.)

Page 34, line 16: after this line insert "4. A member in the parlor or lobbies." (Solie request.)

Page 44, line 4: delete "7" and, instead, insert "14".

Page 46, line 18: delete "called" and, instead, insert "commenced".

Insert where appropriate: "A report of a committee of conference may not be amended and may not be divided." (Or split this up if that's easier.)

R.J. Pirlot

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Office of Assembly Speaker Scott R. Jensen

Direct: 608-261-9482
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Dykman, Peter

From: Pirlot, R.J.
Sent: Thursday, January 11, 2001 2:19 PM
To: Dykman, Peter
Cc: Freese, Steve; Richard, Rob
Subject: LRB 0060/P4

Peter,

Please make the following changes to LRB 0060/P4:

1. Page 7: move Rule 3 (b) to (h) to Rule 3m; do not move Rule 3 (r) to Rule 3m; move Rule 3 (a) to Rule 3m.
2. Page 10, line 18: insert "and" after the first comma.
3. Page 14, line 13: delete repeal of Rule 5 (1) (u).
4. Page 19, line 9: delete "a joint legislative committee"; instead, add "the joint committee on legislative organization or the joint legislative council."
5. Page 21, line 9-10: do not add presiding officer.
6. Page 28, line 6: do not renumber to Rule 3m.
7. Page 34, line 20 and 21: delete "commercial" in both lines.
8. Page 35, line 24: do not delete "presiding officer" and add "and" before "speaker."
9. Page 48, line 7: after "committee" add "or under sub. (1) (b) to an assembly committee".
10. Page 48, line 11: before "." add "or to the calendar for the 2nd legislative day following the referral."
11. Page 65, line 23: do not delete "chair" and do not add "presiding officer."
12. Page 90, line 11: do not change definition of fiscal estimate.
13. Page 98, line 23: delete "legislative leader" and, instead, insert "member."
14. Where appropriate: add language stating a conference committee report may not be amended.
15. Where appropriate: add definition of "presiding officer."

Thank you,

R.J. Pirlot

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

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

Barman, Mike

From: Dykman, Peter
Sent: Wednesday, November 15, 2000 10:40 AM
To: Barman, Mike
Subject: Please send hard copies of the drafts and dnotes and other documents shown in these two attachments to Sen.Chvala; Sen.Farrow; Sen.George; Sen.Moen; Sen.Panzer; Sen.Risser Schneider, Donald J.; Doyle, Donna



Here are preliminary
drafts of...



Here is the preliminary
draft ...

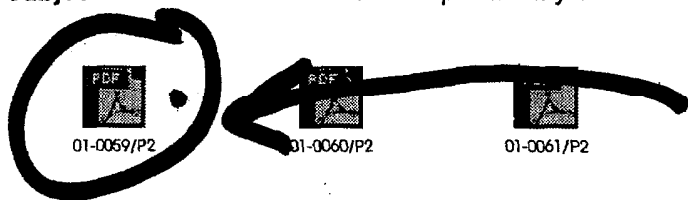
Please send hard copies of the drafts and dnotes and other documents shown in these two attachments to Sen.Chvala; Sen.Farrow; Sen.George; Sen.Moen; Sen.Panzer; Sen.Risser Schneider, Donald J.; Doyle, Donna

Thank you

Attorney Peter Dykman
Wisconsin Legislative Reference Bureau
100 N. Hamilton Street, Fifth Floor
P.O. Box 2037
Madison, Wisconsin 53701-2037
Tel: (608) 266-7098
Fax: (608) 264-8522
Email: Peter.Dykman@legis.state.wi.us

Barman, Mike

From: Dykman, Peter
Sent: Wednesday, November 15, 2000 10:10 AM
To: Rep.Black; Rep.Foti; Rep.Freese; Rep.Jensen; Rep.Krug; Rep.Ladwig; Sen.Chvala; Sen.Farrow; Sen.George; Sen.Moen; Sen.Panzer; Sen.Risser
Cc: Schneider, Donald J.; Sanders, Charlie; Stigler, Ken; Doyle, Donna
Subject: Here are preliminary drafts of the joint rules, assembly rules, and senate rules updated.



Here are preliminary drafts of the joint rules, assembly rules, and senate rules updated. The updates include changes because of style changes (including employee, serial commas, and changes in names of committees), changes proposed last session by legislators, and changes I made to clarify provisions that legislators and aides called about and asked questions. I went over my correspondence to check if any rule needed to be amended. I don't necessarily think all of the substantive changes are desirable. Please review and make changes, subtractions, and additions.

Attorney Peter Dykman
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Email: Peter.Dykman@legis.state.wi.us

Barman, Mike

From: Barman, Mike
Sent: Wednesday, December 06, 2000 12:47 PM
To: Dykman, Peter
Subject: RE: Here are preliminary drafts of the joint rules, assembly rules, and senate rules updated.

Done

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703

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

From: Dykman, Peter
Sent: Wednesday, December 06, 2000 12:00 PM
To: Barman, Mike
Cc: Rep.Wood; Brumm, Dottie
Subject: FW: Here are preliminary drafts of the joint rules, assembly rules, and senate rules updated.

Please have someone send hard copies of these resolutions to Rep. Wayne Wood's office.

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

From: Dykman, Peter
Sent: Thursday, November 30, 2000 9:43 AM
To: Ouimet, Christine
Subject: FW: Here are preliminary drafts of the joint rules, assembly rules, and senate rules updated.

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

From: Dykman, Peter
Sent: Wednesday, November 15, 2000 10:10 AM
To: Rep.Black; Rep.Foti; Rep.Freese; Rep.Jensen; Rep.Krug; Rep.Ladwig; Sen.Chvala; Sen.Farrow; Sen.George; Sen.Moen; Sen.Panzer; Sen.Risser
Cc: Schneider, Donald J.; Sanders, Charlie; Stigler, Ken; Doyle, Donna
Subject: Here are preliminary drafts of the joint rules, assembly rules, and senate rules updated.

<< File: 01-0059/P2 >> << File: 01-0060/P2 >> << File: 01-0061/P2 >>



Here are preliminary drafts of the joint rules, assembly rules, and senate rules updated. The updates include changes because of style changes (including employee, serial commas, and changes in names of committees), changes proposed last session by legislators, and changes I made to clarify provisions that legislators and aides called about and asked questions. I went over my correspondence to check if any rule needed to be amended. I don't necessarily think all of the substantive changes are desirable. Please review and make changes, subtractions, and additions.

Attorney Peter Dykman
Wisconsin Legislative Reference Bureau
100 N. Hamilton Street, Fifth Floor
P.O. Box 2037
Madison, Wisconsin 53701-2037

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
2001 ASSEMBLY JOINT RESOLUTION

1 **Relating to:** the joint rules.

Analysis by the Legislative Reference Bureau

This is a preliminary draft and a partial analysis. An analysis covering all the changes will be provided in a later version.

This draft includes changes because of style changes, changes proposed last session by legislators, and change made to clarify provisions that legislators and aides called about and asked questions. I reviewed my correspondence to check if any rule needed to be amended. Some of the rules have alternative versions. I don't necessarily think all of the included substantive changes are desirable, but setting them out in this draft should help you decide what changes need to be made for the 2001 session. Please review and suggest changes, subtractions, and additions.

This draft: 1) changes the spellings of employe to employee, to make the same change made in the statutes by 1999 Wisconsin Act 185, Section 193; inserts the serial comma after the next to last word in a series of three or more words to conform the rules to a change in statute drafting rules made last session; changes the reference to committees to reflect their new names; and modernizes other language; 2) changes wording so that the joint rules speak as of the time they are applied, not as of the time they were drafted; 3) updates the joint rules for changes made in the statutes, session schedule, or the senate or assembly rules; 4) clarifies that bills are introduced, but other legislation and motions are offered; and 5) makes clarifying changes, which are intended to conform the rules to practice or the constitution, or eliminate ambiguity, and which have explanatory notes after the affected rules.

All joint rules are set forth in full, even though this draft does not amend all of the joint rules.

Joint Rule 3 (1) (intro.): This joint resolution requires that at least one member from each house be a member of the minority party.

Joint Rule 3 (1) (e): This joint resolution provides that if a conference committee, or a successor conference committee, is unable to agree within 30 days after the appointment of the committee, another conference committee consisting of members who have not served on the conference committee, or a successor conference committee, must be appointed by the presiding officers within 5 days and may proceed to further consideration of the proposal.

Joint Rule 3 (2): This joint resolution requires a committee of conference to meet on the call of either cochairperson.

Joint Rule 3 (3): This joint resolution provides that a committee of conference shall be a "closed conference" by limiting the authority of a committee of conference to reconciling the differences in the positions of the senate, assembly, and joint committee on finance. However, a committee of conference is permitted to consider any other issue that the governor finds to be an emergency issue if 1) either the presiding officers of both houses or both chairpersons of the joint committee on finance concur in the finding; or 2) a majority of the members of the committee from each house vote, before the committee votes to recommend the report, to include the issue in the report.

Joint Rule 3 (4): This joint resolution provides that a report of a committee of conference may not be amended and may not be divided. A house may not consider a report if it contains an agreement that recommends the adoption of and concurrence in any issue not authorized.

Joint Rule 3 (5): This joint resolution provides that, if a budget bill is not enacted by the legislature before the first Tuesday of August of the odd-numbered year and the joint committee on finance has offered a substitute amendment to the bill before July 1 of that year, both houses of the legislature shall convene in daily session on the first Tuesday of August of that year. The daily session is limited to consideration of that substitute amendment and, if adopted, to adoption and concurrence in that bill, as amended by that substitute amendment. The bill and the substitute amendment may not be amended and may not be divided.

Joint Rule 28: This joint resolution prohibits the cochairpersons of every committee of conference from conferring together in private and permits less than one-half of the members of every committee of conference to confer together at the same time in private.

Joint rule 51 (2) and (4): The parallel statute to joint rule 51, relating to drafting privileges at the legislative reference bureau, was changed in the 1997 session to remove drafting privileges from those agencies of Wisconsin state government that are not created in certain chapters of the statutes. This rule is changed to conform to that change in the statutes.

Joint Rule 52 (1) (e): This joint rule provides that the budget bill does not have a long, detailed relating clause. This provision is changed to also apply to other

lengthy bills that encompass multiple subjects and that are to be introduced at the request of the governor.

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

2 SECTION 1. Joint rule chapter 1 (title) is amended to read:

3 **CHAPTER 1:**

4 **JOINT PROCEDURES OF THE TWO HOUSES**

5 SECTION 2. Joint rule 1 is amended to read:

6 JOINT RULE 1. **Joint convention.** Whenever there ~~shall be~~ is a joint convention
7 of the 2 houses, the president of the senate shall preside over ~~such~~ the joint
8 convention, if present, the speaker of the assembly shall preside if the president is
9 not present, and the chief clerk of the assembly shall act as clerk thereof, assisted
10 by the chief clerk of the senate.

****NOTE: The assembly and senate rules provide temporary backups or successors
in several other situations.

11 SECTION 3. Joint rule 2 is amended to read:

12 JOINT RULE 2. **Receding from position on amendment.** Whenever an
13 amendment has been nonconcurring in by the other house, any member may move
14 to recede from ~~such~~ the amendment. If the motion prevails ~~such~~ the amendment
15 shall thereby be reconsidered and rejected and the bill or amendment to which ~~said~~
16 the amendment had been adopted by the house shall thereby be passed or concurred
17 in, as the case may be, so that ~~no~~ further action ~~shall be~~ is not required thereon in
18 either house. If the motion fails, the amendment may not be reconsidered.

****NOTE: See Mason's Manual Section 421, which, unlike Joint Rule 2 and the
ruling below, treats receding and rejecting as two motions—reconsideration and then
rejection:

Sec. 421. Equivalent Amendments

Where questions are equivalent, so that the negative of the one amounts to the
affirmative of the other, and leaves no other alternative, the decision on the one
amendment necessarily precludes the other. Thus, the negative of striking out amounts

to the affirmative of agreeing, and, therefore, to put a question on agreeing after one on striking out, would in effect be to put the same question twice. **This rule does not apply to the question of amendments between the two houses. A motion to recede being negated does not amount to a positive vote to insist, because there is another alternative which is to adhere.**

Sec. 421: Jefferson, Sec. XXXVIII; Cushing, Sec. 251.

****NOTE: See page 88 of the Reprint from the 1985-86 Blue Book entitled Rules and Rulings. It cites the following ruling and states:

“While rejection of a conference report is equivalent to adverse disposition of a proposal (which can be reconsidered), receding from the Assembly’s position on an amendment nonconcurrent in by the Senate is the equivalent of reconsidering the earlier action and procedural (Assembly Journal 2/17/77, page 311). The action on a motion to reconsider cannot, itself, be reconsidered Assembly Rule 73 (5). If the motion fails, the decision on the question proposed to be reconsidered is final. If reconsideration carries, the reconsidered question is again before the house.

Assembly Journal of February 17, 1977 Page: 311 Point of order:

Representative Shabaz rose to the point of order that a motion for reconsideration of the vote by which the assembly failed to recede from its position on assembly amendment 1 to Senate Bill 63 was in order pursuant to Assembly Rule 72.

The speaker Jackamonis ruled that a motion to recede under Joint Rule 3 is in effect a motion to reconsider. Therefore, a motion to reconsider a motion to recede would be the equivalent of reconsidering a motion to reconsider. Since this is not in order under Assembly Rule 72 (3), the speaker ruled the point of order not well taken.

1 **SECTION 4.** Joint rule 3 is renumbered joint rule 3 (1) and amended to read:

2 **JOINT RULE 3. Committee of conference.** (1) (intro.) In all cases of
3 disagreement between the senate and assembly on amendments, adopted by either
4 house to a bill or joint resolution passed by the other house, a committee of conference
5 consisting of 3 members from each house may be requested by either house, and the
6 other house shall appoint a similar committee. At least one member from each house
7 shall be a member of the minority party.

8 (1) (a) The usual manner of procedure is as follows: If a bill of one house has been
9 amended and passed by the other house, and has been returned to the house of origin
10 and ~~that~~ the house of origin has refused to concur in an amendment, ~~such~~ the house
11 of origin may appoint a committee of conference and notify the other house, which

1 shall appoint a committee of conference unless it votes to recede from its amendment.
2 Such committees shall be appointed by the presiding officer, ~~but senate committees~~
3 ~~shall be confirmed as are standing committees.~~ The joint committee shall, ~~at a~~
4 ~~convenient hour agreed upon,~~ meet and state to each other, verbally orally or in
5 writing, the reasons of their respective houses for or against the disagreement, and
6 confer thereon, and shall report to their respective houses any agreement they arrive
7 at by the vote of at least ~~2~~ a majority of the members of the committee representing
8 each house.

****NOTE: “, but senate committees shall be confirmed as are standing committees”
is stricken because senate committees are no longer confirmed by that house.

****NOTE: “2” is changed to “majority” to provide the standard when more than
three members are appointed.

****NOTE: “, at a convenient hour agreed upon,” is deleted and Joint rule 3 (2) is
created to provide that either cochairperson may schedule meetings.

9 (b) When the conference committee has reached agreement the report shall be
10 first presented, if a senate bill or joint resolution, to the assembly and, if an assembly
11 bill or joint resolution, to the senate. The vote by each house to ~~adopt~~ approve the
12 conference report constitutes final action on the proposal and may not be
13 reconsidered.

14 (c) Approval of the conference report by a roll call vote in each house sufficient
15 to constitute final passage of the proposal shall be final passage of the bill or final
16 adoption and concurrence in the joint resolution in the form and with the changes
17 proposed by the report.

18 (d) If the conference committee is unable to agree, another conference
19 committee consisting of new members may be appointed by the presiding officers and
20 may proceed to further consideration of the proposal ~~or of amendments thereto.~~

21 **SECTION 5.** Joint rule 3 (1) (e) is created to read:

1 Joint Rule 3 (1) (e) If the conference committee, or a successor conference
2 committee, is unable to agree within 30 days after the appointment of the committee,
3 another conference committee consisting of members who have not served on the
4 conference committee or a successor conference committee shall be appointed by the
5 presiding officers within 5 days and may proceed to further consideration of the
6 proposal.

7 **SECTION 6.** Joint rule 3 (2) is created to read:

8 Joint Rule 3 (2) A committee of conference shall meet on the call of either
9 cochairperson.

10 **SECTION 7.** Joint rule 3 (3) is created to read:

11 Joint Rule 3 (3) (a) [first alternative] Except as otherwise provided in par. (b),
12 a committee of conference shall be a “closed conference”, with the authority of the
13 members of the committee limited to reconciling the differences in the positions of
14 the 2 houses as reflected by the proposal, as engrossed by the first house, and the
15 proposal, as concurred in and amended by the 2nd house, or as amended and
16 nonconcurred in by the 2nd house, with any position of the joint committee on
17 finance, as reflected by an amendment or substitute amendment to the proposal
18 offered by the joint committee on finance.

19 (a) [second alternative] Except as otherwise provided in par. (b), the report may
20 not contain a topic that was not included in the position of at least one of the houses
21 as reflected by the proposal, as engrossed by the first house, and the proposal, as
22 concurred in and amended by the 2nd house, or as amended and nonconcurred in by
23 the 2nd house.

24 (b) A committee of conference may consider and may recommend the approval
25 of and concurrence in any issue not authorized under par. (a) if the governor submits

1 to the committee of conference a written finding that an emergency requires the
2 inclusion of the issue in the report of the committee and:

3 1. Either the presiding officers of both houses or both cochairpersons of the joint
4 committee on finance submit to the committee a written concurrence with the
5 finding; or

6 2. A majority of the members of the committee from each house vote, before the
7 committee votes to recommend the report, to include the issue in the report.

8 **SECTION 8.** Joint rule 3 (4) is created to read:

9 Joint Rule 3 (4) A report of a committee of conference may not be amended and
10 may not be divided. Neither house may consider a report if it contains an agreement
11 that recommends the approval of and concurrence in any issue not authorized under
12 sub. (3).

13 **SECTION 9.** Joint rule 4 is created to read:

14 Joint Rule 4. **Daily sessions required if budget bill delayed.** If an
15 executive budget bill under section 16.47 of the statutes is not enacted by the
16 legislature before the first Tuesday of August of the odd-numbered year and the joint
17 committee on finance has offered a substitute amendment to the bill before July 1
18 of that year, both houses of the legislature shall convene in daily session on the first
19 Tuesday of August of that year and on each Tuesday, Wednesday, and Thursday
20 thereafter until the legislature enacts the executive budget bill. The daily session
21 is limited to consideration of that substitute amendment and, if adopted, to adoption
22 and concurrence in that bill, as amended by that substitute amendment. The bill and
23 the substitute amendment may not be amended and may not be divided.

24 **SECTION 10.** Joint rule 5 is amended to read:

1 JOINT RULE 5. **Bill recalled from governor.** Any bill may be recalled by joint
2 resolution from the governor for further consideration and shall, after having been
3 ~~actually~~ returned to the house where it originated, ~~be deemed to be~~ is before said the
4 house for its action thereon ~~and~~. The bill may be reconsidered or otherwise acted
5 upon without any reconsideration or other action thereon being first had in the other
6 house. Any action taken shall ~~then~~ be messaged to the other house for its
7 concurrence.

8 **SECTION 11.** Joint rule 6 is amended to read:

9 JOINT RULE 6. **Measure Proposal recalled from other house.** The recall of
10 a ~~measure proposal~~ from outside the jurisdiction of the house requires the adoption
11 of and concurrence in a joint resolution recalling the proposal.

12 **SECTION 12.** Joint rule 7 is amended to read:

13 JOINT RULE 7. **Citations by the legislature.** For the purpose of extending the
14 commendations, condolences, or congratulations of the legislature to a particular
15 person, or to recognize a particular event or occasion, there may be issued a "citation
16 by the legislature." The approval of ~~such~~ the citations shall in each house be
17 governed by the rules of that house.

18 (1) Citations may be used in place of resolutions for commendations,
19 congratulations, or condolences to past or present state officials or other public
20 figures, or to give recognition to an important event or occasion. Citations may not
21 be used for procedural matters ~~nor~~ or in place of resolutions memorializing the U.S.
22 ~~congress~~ Congress, but only if appropriate to express the feeling of one house or of
23 both houses of the legislature with reference to a person or to an event or occasion.

24 (2) Citations may not be used for matters of a controversial or partisan political
25 nature.

1 (3) Each house shall establish a procedure for reviewing each proposed citation,
2 whether originating in that house or received from the other house with the request
3 for concurrence, for its appropriateness under subs. (1) and (2).

4 (4) The chief clerks of the 2 houses shall ~~cooperate with the legislative reference~~
5 ~~bureau in designing~~ design a worksheet for citations under this rule. This worksheet
6 shall contain spaces for the following information:

7 (a) The short title of the citation.

8 (b) The signature of the sponsor in the house of origin and, if the citation is to
9 be issued by the entire legislature rather than by one house only, the signature of the
10 cosponsor from the 2nd house.

11 (c) The full text of the citation. Because a citation is to be presented on an 8-1/2
12 inch by 11 inch form, artistically designed and suitable for framing, the full text of
13 the citation shall not exceed 15 typewritten lines of 70 characters each.

14 (d) The name and address of the person to whom the citation is to be delivered,
15 or a statement that the certificate will be picked up in the chief clerk's office of the
16 house of origin by a specific member of that house.

17 **SECTION 13.** Joint rule chapter 2 (title) is amended to read:

18 **CHAPTER 2:**

19 **PROCEDURES DERIVED FROM STATE CONSTITUTION**

20 **SECTION 14.** Joint rule 10 is created to read:

21 **JOINT RULE 10. Each house determines its rules.** Each house may determine
22 the rules of its own proceedings and punish for contempt and disorderly behavior, as
23 provided under section 8 of article IV of the constitution.

****NOTE: This rule is created to state the general rule from the constitution.

24 **SECTION 15.** Joint rule 11 is amended to read:

1 JOINT RULE 11. **Quorum.** (1) Unless a different ~~and higher~~ vote quorum is
2 required by the state constitution for a specific action, a majority of the current
3 membership constitutes a quorum for the transaction of business, as provided under
4 section 7 of article IV of the constitution.

 ****NOTE: Both Joint Rule 11 and Joint Rule 12 limit their scope to greater than a
majority situations. Subsection (3) in each section is created to set forth the situation
where less than a majority is needed.

5 (2) Three-fifths of the members elected is the quorum necessary for passage (or
6 concurrence) in either house of any fiscal bill under section 8 of article VIII of the
7 constitution. The votes shall be taken by ayes and noes and shall be so recorded in
8 the journal. A fiscal bill is any bill which:

9 (a) Imposes, continues, or renews a tax.

10 (b) Creates a debt or charge.

11 (c) Makes, continues, or renews an appropriation of public or trust money.

12 (d) Releases, discharges, or commutes a claim or demand of the state.

13 **SECTION 16.** Joint rule 11 (3) is created to read:

14 JOINT RULE 11 (3) A smaller number than a majority may adjourn from day to
15 day, and may compel the attendance of absent members in such manner and under
16 such penalties as each house may provide, as provided under section 7 of article IV
17 of the constitution.

18 **SECTION 17.** Joint rule 12 is amended to read:

19 JOINT RULE 12. **Required vote total.** (1) Unless a different ~~and higher~~ total
20 vote is required by the state constitution, by law, or by legislative rule, for a specific
21 action, all questions are decided by a majority of a quorum.

 ****NOTE: Both Joint Rule 11 and Joint Rule 12 limit their scope to greater than a
majority situations. Subsection (3) in each section is created to set forth the situation
where less than a majority is needed.

****NOTE: The assembly rule that is parallel to this joint rule (Assembly Rule 76 (1)) includes "by law, or by legislative rule," . Does either the assembly rule have to be amended to delete or this joint rule amended to add any of those words?

****NOTE: Here are the only statutes I found that speak of vote requirements for the legislature. Most relate to committees. The one on removal of judges by address just follows the constitution. Section 13.30 is different than the others in that it requires a vote total higher than a majority of a quorum and it is not based on the constitution.

13.10 (4) of the statutes is amended to read:13.10 (4) All actions under this section shall be determined by a roll call vote. A copy of the minutes shall be signed by the secretary and approved by the presiding officers and be transmitted to the department of administration, the state auditor and the legislative reference bureau. All requests for action by the committee under this section may be approved in whole or in part by the governor and the part approved shall be so ordered, and the part objected to shall be returned to the committee for reconsideration. If the governor neither approves nor objects to a request within 15 working days after the committee takes action on the request, the request is approved in whole. The cochairpersons of the committee shall call a meeting or conduct a mail ballot within 15 working days after receipt of the governor's objection and if, after reconsideration, two-thirds of the members of the committee by a roll call vote or recorded ballot sustain the original action it shall be so ordered by signature of the cochairpersons of the committee.

13.28 (1) of the statutes is amended to read:13.28 (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 house 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 the officer or by any employee or subordinate of such officer, relative to the manner, conditions or terms of the officer's appointment or of any appointment made by the officer 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 house of the legislature to which such petitioning members belong.

13.28 (2) of the statutes is amended to read:13.28 (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).

13.30 of the statutes is amended to read:**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.

13.45 (5) of the statutes is amended to read:**13.45 (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.

13.81 (3) of the statutes is amended to read:**13.81 (3) REPORTS.** The council shall prepare a biennial report of its activities for the governor and the legislature. The council may issue reports concerning any phase of its work or the work of any of its committees under ss. 13.82 and 13.83, and shall provide for adequate distribution of such reports. 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 votes to introduce such legislation.

17.06 (2) of the statutes is amended to read:**17.06 (2)** In this section, “address” means a procedure for removal of a judge from office based on a document entitled “Address” which specifies charges against a judge alleging misconduct or that the judge is not physically or mentally qualified to exercise the judicial functions of the judge’s office. A copy of the address containing the charges against the judge shall be served upon the judge. The judge shall have the opportunity of being heard to present a defense against the charges. The judge may be removed from office by address of both houses of the legislature if two-thirds of all members elected to each house concur therein.

****NOTE: This restates section 13 of article VII of the constitution.

71.78 (4) (c) of the statutes is amended to read:**71.78 (4) (c)** Members of any legislative committee on organization or its authorized agents provided the examination is approved by a majority vote of a quorum of its members and the tax return or claim information is disclosed only in a meeting closed to the public. The committee may disclose tax return or claim information to the senate or assembly or to other legislative

committees if the information does not disclose the identity of particular returns, claims or reports and the items thereof. The department of revenue shall provide assistance to the committees or their authorized agents in order to identify returns and claims deemed necessary by them to accomplish the review and analysis of tax policy.

76.30 (2) (c) of the statutes is amended to read:76.30 (2) (c) Members of any legislative committee on organization or its authorized agents provided the examination is approved by a majority vote of a quorum of its members and the tax return or claim information is disclosed only in a meeting closed to the public. The committee may disclose information to the senate or assembly or to other legislative committees if the information does not disclose the identity of particular returns, claims or reports and the items thereof. The department shall provide assistance to the committees or their authorized agents in order to identify returns and claims deemed necessary by them to accomplish the review and analysis of tax policy.

77.61 (5) (b) 3. of the statutes is amended to read:77.61 (5) (b) 3. Members of the senate committee on organization or its authorized agents or the assembly committee on organization or its authorized agents provided the examination is approved by a majority vote of a quorum of its members and the tax return information is disclosed only in a meeting closed to the public. The committee may disclose tax return information to the senate or assembly or to other legislative committees if the information does not disclose the identity of particular returns or reports and the items of particular returns or reports. The department of revenue shall provide assistance to the committees or their authorized agents in order to identify returns that are considered necessary by them to accomplish the review and analysis of tax policy.

1 (2) As required by the state constitution, each of the following bills requires
2 such higher affirmative vote total for passage (or concurrence) in either house. The
3 vote shall be taken by ayes and noes and shall be so recorded in the journal.

4 (a) Three-fourths of all the members elected to each house are necessary to
5 approve any bill to grant increased retirement fund benefits under section 26 of
6 article IV of the constitution.

7 (b) Two-thirds of all the members elected to that house in which the member
8 serves are necessary to approve the expulsion of a member under section 8 of article
9 IV of the constitution.

1 (c) Two-thirds of all the members elected to each house are necessary to remove
2 a justice or judge by address of the legislature under section 13 of article VII of the
3 constitution.

4 (d) Two-thirds of the members present and constituting a quorum in each house
5 are necessary to pass any bill, or to pass any part of an appropriation bill,
6 notwithstanding the objections of the governor under section 10 of article V of the
7 constitution.

8 (e) Two-thirds of the senators present and constituting a quorum are necessary
9 to convict in an impeachment trial under section 1 of article VII of the constitution.

10 (f) A majority of all the members elected to each house is necessary to authorize
11 state debt for extraordinary expenditures under section 6, or to authorize bonded
12 indebtedness under section 7 of article VIII, or to give first or second consideration
13 approval to any proposed state constitutional change under section 1 of article XII
14 of the constitution.

15 (g) A majority of all the ~~representatives~~ members elected to the assembly is
16 necessary to vote an impeachment under section 1 of article VII of the constitution.

17 **SECTION 18.** Joint rule 15 (3) is created to read:

18 JOINT RULE 15 (3) One-sixth of the members present of either house are
19 necessary to require that the yeas and nays of the members of that house on any
20 question be entered on the journal, as provided under section 20 of article IV of the
21 constitution.

22 **SECTION 19.** Joint rule 13 is amended to read:

23 JOINT RULE 13. **Adjournment for more than 3 days.** As provided by section
24 10 of article IV of the constitution, neither house shall, without the consent of the
25 other house through approval of a joint resolution by both houses, during any session

1 of the legislature adjourn for any period of more than 3 consecutive days (Sundays
2 excepted).

3 **SECTION 20.** Joint rule 14 is amended to read:

4 **JOINT RULE 14. Stationery; reproduction of legislative documents.** (1) All
5 stationery purchased for the legislature shall be let by contract to the lowest
6 responsible bidder, as provided under section 25 of article IV of the constitution.

7 (2) Each house of the legislature may have publications and other matter
8 reproduced in the manner provided by the rules of each house or the joint rules. In
9 addition, the legislature or either house thereof may provide by rule, and the joint
10 committee on legislative organization may provide by motion with the ayes and noes
11 recorded in its minutes, for reproduction of materials for the legislature in any form,
12 manner, or amount which in the judgment of the legislature, the house, or the joint
13 committee best serves the interests of the people of the state, except that where there
14 is a contract for reproduction with which ~~such~~ the reproduction would conflict, the
15 contract ~~shall continue~~ continues to govern until it expires.

16 (3) For any legislative document originating in one house of the legislature and
17 to be reproduced for both houses of the legislature, the joint committee on legislative
18 organization shall determine the number of copies routinely to be reproduced unless
19 otherwise provided by law ~~or~~, joint rule, or resolution but the chief clerks of the senate
20 and assembly, acting jointly, may authorize the reproduction of additional copies if
21 warranted by the anticipated requests.

22 **SECTION 21.** Joint rule chapter 3 (title) is amended to read:

23 **CHAPTER 3:**

24 **JOINT COMMITTEE ACTIVITIES**

25 **SECTION 22.** Joint rule 21 is amended to read:

1 **JOINT RULE 21. Joint hearings of standing committees.** The chairpersons
2 of corresponding committees of both houses or committees having corresponding
3 proposals referred to them shall arrange joint hearings of their committees to
4 consider ~~such~~ the proposals if, in their judgment, the business of the legislature and
5 the convenience of the members and the public, who are interested in ~~such~~ the
6 proposals, will be promoted thereby. The proposals to be considered, the time and
7 place of the hearings, who presides at the hearings, and any other matters
8 convenient to the hearings may be agreed upon by the chairpersons. Joint hearings
9 may also be arranged to consider a proposal introduced in only one house which will
10 require consideration in both houses. ~~Such~~ The joint hearings shall take the place
11 of separate hearings, and shall be final unless the house where the proposal is
12 pending orders a further hearing before its own committee.

13 **SECTION 23.** Joint rule 22 is amended to read:

14 **JOINT RULE 22. Cochairpersons of joint committees.** All standing or special
15 joint committees shall have a senate and an assembly cochairperson. Any meeting
16 of a joint committee shall be chaired by the cochairperson from the house ~~which~~ that
17 referred the business then before the joint committee.

18 **SECTION 24.** Joint rule 23 is amended to read:

19 **JOINT RULE 23. Joint committee on legislative organization.** (1) There is
20 created a joint committee on legislative organization consisting of the speaker of the
21 assembly, the president of the senate, the majority and minority leader of each house,
22 and the assistant majority and minority leader of each house.

23 (2) The committee shall have ~~such~~ the powers and responsibilities ~~as are~~
24 conferred upon it by statute or by the joint rules and may take appropriate action
25 thereunder. The committee shall recommend to the houses any action it considers

1 likely to more closely coordinate the work of the 2 houses or to save expenses or
2 increase the efficiency of the legislature.

3 **SECTION 25.** Joint rule 25 is amended to read:

4 **JOINT RULE 25. Funeral delegation.** A joint delegation consisting of members
5 of the senate appointed by the president and of members of the assembly appointed
6 by the speaker shall attend the funeral of any deceased member of the legislature.

7 **SECTION 26.** Joint rule 27 is amended to read:

8 **JOINT RULE 27. Committee hearings open to public.** Unless otherwise
9 provided by law, every committee hearing, executive session, or other meeting shall
10 be open to the public. If time permits, advance notice of every regularly scheduled
11 committee hearing, executive session, or other meeting shall be published as
12 provided in joint rule 75.

13 **SECTION 27.** Joint rule 28 is created to read:

14 **Joint Rule 28. When conferences of members of committees of**
15 **conference open to public.** (1) Except as otherwise provided in sub. (2), a member
16 of a committee of conference may confer together with one or more other members
17 of the committee at the same time, for a conference that is not open to the public, if
18 all of those conferring together at that time make up less than one-half of the
19 members of the committee.

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

23 **SECTION 28.** Joint rule chapter 4 (title) is amended to read:

24 **CHAPTER 4:**

25 **CLERICAL PROCEDURES**

1 **SECTION 29.** Joint rule 31 is amended to read:

2 **JOINT RULE 31. Record of committee proceedings.** (1) The chairperson or
3 acting chairperson of each committee of the legislature shall keep, or cause to be
4 kept, a record of the committee's proceedings containing the following information:

5 (a) The date, time, place, and subject of each hearing, and of each meeting of the
6 committee.

7 (b) The attendance of committee members at each meeting.

8 (c) The name of each person appearing before the committee, with the name of
9 the person or persons and the name of the group or organization on whose behalf ~~such~~
10 the appearance is made.

11 (d) The vote of each member on all motions, ~~bills, resolutions~~ proposals,
12 amendments, or administrative rules acted upon.

13 (2) The record shall be ready and approved before the expiration of 10 days after
14 each committee meeting or at the next regular meeting of the committee, whichever
15 is earlier.

16 (3) Any member of a joint committee who is opposed to the committee's majority
17 report may, at the time of the committee's final vote on the matter, notify the ~~chair~~
18 chairperson of his or her intent to file a minority report and may then file ~~such~~ the
19 report with the chairperson no later than the 2nd business day after the vote. For any
20 joint committee or committee of conference the committee report, including any
21 minority report, may be provided to the members as decided by the presiding officer
22 for each house.

23 (4) The committee shall file, in the jacket envelope of every ~~bill, joint resolution,~~
24 ~~resolution~~ proposal or administrative rule reported by it, the original record of the
25 committee's proceedings containing the information compiled under sub. (1) for the

1 proposal or administrative rule. A duplicate of the record shall be filed by the chief
2 clerk ~~numerically by the number of the proposal or administrative rule~~ in the form
3 most accessible for the use of the members and the public during the session. At the
4 end of the biennial session the duplicates shall be filed in the legislative reference
5 bureau.

****NOTE: These are now filed during the session by committee and only when they
are filed at the end of the session are they filed numerically.

6 **SECTION 30.** Joint rule 32 is amended to read:

7 **JOINT RULE 32. Certification of passage of, or adoption of and**
8 **concurrence in, proposals.** (1) The chief clerk of each house shall supervise the
9 entry of actions by that house in the history file for any ~~bill, joint resolution, or~~
10 ~~resolution~~ proposal. The chief clerk of each house shall include the history entries
11 in the jacket envelope before submitting the jacket to the chief clerk of the other
12 house. The entries shall include the following:

13 (a) The number and relating clause of the proposal.

14 (b) The name of the member, members, or committee introducing the proposal.

15 (c) If appropriate, the name of the individual or organization requesting the
16 proposal.

17 (d) The dates of introduction, reference to committee, and all subsequent
18 actions pertaining to the proposal, including any motion to end debate of the
19 proposal.

20 (e) If appropriate, the actual date on which a fiscal estimate is received.

21 (f) The actual date of each public hearing.

1 (g) The date and resolution number of any request, approved by that house, for
2 an opinion of the attorney general, and the date on which ~~such~~ the opinion was
3 received.

4 (h) The date of any clerical correction in the proposal as authorized by joint rule
5 56.

6 (i) The date and authorizing chief clerk for any reproduction of a proposal with
7 all adopted amendments engrossed therein or of any major amendment thereto as
8 authorized by joint rule 63.

9 (3) Each house shall provide by rule the manner by which the passage by or
10 adoption of and concurrence in that house of ~~bills, joint resolutions, or resolutions~~
11 ~~shall be~~ proposals are certified.

12 **SECTION 31.** Joint rule 33 is amended to read:

13 **JOINT RULE 33. Book of enrolled bills.** (1) The chief clerk of each house shall
14 keep a book in which the chief clerk enters the date on which any enrolled bill,
15 originating in that house, is submitted to the governor for approval. The chief clerk's
16 entry shall show the number of the bill, and shall be countersigned by an ~~employe~~
17 employee of the office of the governor.

18 (2) ~~Such~~ The books shall similarly show the day of deposit in the office of the
19 secretary of state of bills that become law without the signature of the governor, of
20 bills passed notwithstanding the objections of the governor, and of resolutions
21 required to be published.

22 **SECTION 32.** Joint rule 34 is amended to read:

23 **JOINT RULE 34. Submittal of enrolled bills to governor.** After ~~the~~ an
24 enrolled bill has been signed by the appropriate officer or officers certifying to its
25 passage, it shall be presented, as provided in the session schedule or by other

1 legislative rule, by the chief clerk of the house in which it originated to the office of
2 the governor for approval.

****NOTE: Other rules provide for presentment, such as Assembly Rule 23 and special session adjournment resolutions.

3 **SECTION 33.** Joint rule 35 is amended to read:

4 **JOINT RULE 35. Assignment of enrolled joint resolution numbers.** The
5 chief clerk, in cooperation with the secretary of state, shall assign an enrolled joint
6 resolution number to any joint resolution amending the constitution and may assign
7 an enrolled joint resolution number to any other joint resolution if the joint
8 resolution originated in the chief clerk's house.

9 **SECTION 34.** Joint rule chapter 5 (title) is amended to read:

10 **CHAPTER 5:**

11 **FISCAL ESTIMATE PROCEDURE**

12 **SECTION 35.** Joint rule 41 is amended to read:

13 **JOINT RULE 41. When fiscal estimates required or permitted.** (1) (a) All
14 bills making an appropriation and any bill increasing or decreasing existing
15 appropriations or state or general local government fiscal liability or revenues shall
16 carry a fiscal estimate.

17 (b) An executive budget bill introduced under section 16.47 (1) of the statutes
18 is exempt from the fiscal estimate requirement under par. (a) but may, if it contains
19 a provision affecting a public retirement system or providing a tax exemption, be
20 analyzed as to that provision by the appropriate joint survey committee.

21 (c) For purposes of par. (a), a bill increasing or decreasing the liability or
22 revenues of the unemployment reserve fund is considered to increase or decrease
23 state fiscal liability or revenues.

1 (2) (a) Fiscal estimates are required on original bills only and not on substitute
2 amendments or amendments.

3 (b) A bill containing a penalty provision is exempt from the fiscal estimate
4 requirement if the bill contains no other provisions requiring a fiscal estimate under
5 sub. (1) (a).

6 (3) (a) The joint committee on finance by the approval of a majority of its
7 members, or either cochairperson of the committee, may request from the legislative
8 fiscal bureau, or through the department of administration from an appropriate
9 state agency, a supplemental fiscal estimate on any bill or on a bill as affected by any
10 proposed amendment or proposed substitute amendment if the committee or
11 cochairperson believes that the fiscal estimate on the bill, or on the bill as affected
12 by the proposed amendment, would be substantially different from the fiscal
13 estimate on the original bill. A supplemental fiscal estimate prepared under this
14 paragraph shall be submitted to the legislative reference bureau for reproduction
15 and insertion in the bill jacket envelope.

16 (b) At the request of a bill's primary author, the presiding officer of either house
17 may request through the department of administration from an appropriate state
18 agency a supplemental fiscal estimate on any bill, or on a bill as affected by any
19 proposed amendment or proposed substitute amendment, if the presiding officer
20 believes that the fiscal estimate on the bill, or on the bill as affected by the proposed
21 amendment, would be substantially different from the fiscal estimate on the original
22 bill. Unless otherwise determined by the house in which the bill may be placed on
23 calendar, failure to receive a supplemental fiscal estimate requested under this
24 paragraph on a bill ~~which~~ that already has one or more original fiscal estimates shall
25 not delay consideration of the bill. A supplemental fiscal estimate prepared under

1 this paragraph shall be submitted to the legislative reference bureau for
2 reproduction and insertion in the bill jacket envelope.

3 (c) The department of administration may submit a supplemental fiscal
4 estimate to the legislative reference bureau for reproduction and insertion in the bill
5 jacket envelope if the department disagrees with a fiscal estimate prepared by a state
6 agency.

7 (d) In addition to the original estimates prepared by state agencies, the
8 department of administration shall, if appropriate, submit to the legislative
9 reference bureau for review by the requester under joint rule 48 and for reproduction
10 and insertion in the bill jacket envelope, a consolidated fiscal estimate summarizing
11 all original fiscal estimates prepared by state agencies relating to a specific bill.

12 (e) Any state agency may submit to the department of administration for
13 submission to the legislative reference bureau for review by the primary author of
14 an introduced bill under joint rule 48 and for reproduction and insertion in the bill
15 jacket envelope an updated fiscal estimate supplementing the original estimate on
16 any bill if the agency has available better or more current information.

17 (f) The legislative fiscal bureau or the department of administration shall, if
18 requested under joint rule 48 (3), prepare a supplemental fiscal estimate. If a
19 supplemental fiscal estimate is requested the fiscal bureau or the department shall
20 submit the prepared supplemental fiscal estimate to the legislative reference bureau
21 for reproduction and insertion in the bill jacket envelope.

22 (g) A state agency shall submit any fiscal estimate requested under joint rule
23 48 (2) to the department of administration for submission to the legislative reference
24 bureau for review by the primary author under joint rule 48 and for reproduction and
25 insertion in the bill jacket envelope.

1 (h) Any state agency may rewrite its original fiscal estimate as provided under
2 joint rule 48 (4).

3 (i) The department of administration may correct any fiscal estimate prepared
4 by a state agency as provided under joint rule 46 (5).

5 **SECTION 36.** Joint rule 42 is amended to read:

6 **JOINT RULE 42. General procedures.** (1) (a) Fiscal estimates shall be prepared
7 by all state agencies receiving the appropriation, collecting the revenue,
8 administering the program, or having information concerning the subject matter of
9 the bill. Bills containing provisions for both appropriations and revenues or either
10 appropriations or revenues for more than one state agency shall receive estimates
11 from each such agency.

12 (b) In addition, the department of administration shall, when appropriate,
13 prepare a consolidated fiscal estimate as required under joint rule 41 (3) (d).

14 (c) For bills with a fiscal impact on general local government, the department
15 of administration shall obtain the requisite information from all appropriate state
16 agencies.

17 (2) The name of the state agency preparing the estimate, and the date, shall be
18 reproduced at the end of the estimate. The estimate shall also be signed by a
19 responsible official of the agency.

20 (3) Each state agency shall prepare the fiscal estimate within 5 working days
21 from the date on which it receives the bill, but the department of administration, on
22 a limited basis only and upon an agency's request received ~~prior to~~ before the end of
23 the 5-day period and applicable to only one fiscal estimate, may extend ~~such~~ the
24 period for the specified fiscal estimate to not more than 10 working days if the bill
25 necessitates extended research. Whenever ~~such~~ the extension is granted, the

1 department of administration shall immediately notify the legislative reference
2 bureau.

3 (4) The state agencies are requested to ~~utilize~~ use the bills, substitute
4 amendments, and amendments submitted to them for official purposes only. In
5 particular, no state agency may copy, or otherwise disseminate information
6 regarding, any bill, substitute amendment, or amendment submitted to it by "LRB"
7 number, indicating that ~~such~~ the bill, substitute amendment, or amendment has not
8 been offered ~~for introduction~~ or introduced in the legislature.

9 **SECTION 37.** Joint rule 43 is amended to read:

10 **JOINT RULE 43. Reliable dollar estimate.** The estimate shall be factual in
11 nature, and shall provide as reliable a dollar estimate as possible. The fiscal estimate
12 shall contain a statement setting forth the assumptions used in arriving at the dollar
13 estimate. Identification of technical or policy problems in the bill shall not be
14 included in the estimate but should be submitted separately in a technical
15 memorandum.

16 **SECTION 38.** Joint rule 44 is amended to read:

17 **JOINT RULE 44. Bill jackets to display "FE."** (1) The jackets of all bills
18 carrying a fiscal estimate shall have the initials "FE" displayed on them.

19 (2) (a) The preliminary determination of whether the bill requires a fiscal
20 estimate shall be made by the legislative reference bureau, which shall indicate that
21 a bill requires a fiscal estimate displaying "FE" prominently on the jacket.

22 (b) No jacket on which the "FE" symbol has been defaced may be accepted for
23 introduction unless the deletion of the "FE" symbol has been initialed by the chief or
24 the deputy chief of the legislative reference bureau.

25 **SECTION 39.** Joint rule 45 is amended to read:

1 **JOINT RULE 45. Duties of legislative reference bureau.** (1) After a proposed
2 bill has been drafted the legislative reference bureau shall inform the requester that
3 a fiscal estimate is required when it submits the draft to the requester. If authorized
4 by the requester, the bureau shall promptly submit ~~such~~ the proposed bill to the
5 department of administration for preparation of a fiscal estimate. The requester may
6 introduce the bill without the fiscal estimate, but when such a bill is introduced the
7 legislative reference bureau shall promptly submit a copy of the bill to the
8 department of administration for preparation of a fiscal estimate. The legislative
9 reference bureau shall keep a record of the date on which each bill is thus submitted
10 and its number.

11 (2) If the fiscal estimate is procured before the bill is introduced, the legislative
12 reference bureau shall submit a copy of the estimate to the requester. If the requester
13 desires to introduce the bill, the reference bureau shall place the estimate and any
14 worksheet at the end of the bill or in the jacket envelope, and prepare the bill for
15 introduction. The fiscal estimate and any worksheet shall be reproduced at the end
16 of the bill or as an appendix as are amendments. If the fiscal estimate is procured
17 after the bill has been introduced the legislative reference bureau shall submit a copy
18 of the estimate and any worksheet to the primary author of the introduced bill as
19 provided under joint rule 48.

20 (3) The chief clerk shall enter in the history file for a bill the dates when a fiscal
21 estimate on an original bill is published, when a fiscal estimate on any bill as
22 amended or as amended by any proposed amendment or substitute amendment is
23 published, when a supplemental fiscal estimate is published, and when a
24 memorandum under joint rule 47 is inserted in the bill jacket. If a fiscal estimate
25 is requested after the bill is introduced, the chief clerk shall enter in the history file

1 for the bill the dates when a fiscal estimate on an original bill is requested, when a
2 fiscal estimate on any bill as amended or as amended by any proposed amendment
3 or substitute amendment is requested, and when a supplemental fiscal estimate is
4 requested.

5 **SECTION 40.** Joint rule 46 is amended to read:

6 **JOINT RULE 46. Duties of department of administration and state**
7 **agencies.** (1) The department of administration shall promptly review each bill
8 received, determine all of the agencies to which it shall be submitted for a fiscal
9 estimate, and forward the fiscal estimate request to ~~such~~ those agencies, keeping a
10 record of the date of submission to and receipt from the agencies and the number of
11 the bill.

12 (2) The state agency shall prepare an original typed copy of the estimate and
13 of any worksheet and such copies as specified by the department of administration.
14 It shall return the estimate and any worksheet and the bill within 5 working days
15 to the department of administration unless the department of administration, under
16 joint rule 42 (3), extends the period for the preparation of the estimate. The
17 department of administration shall notify the state agency of any bill not returned
18 within the deadline.

19 (3) The department of administration shall promptly return all fiscal estimates
20 and any worksheets to the legislative reference bureau, retaining one copy of each
21 estimate and worksheet for its files.

22 (4) The department of administration shall, when requested under joint rule 48
23 (3), prepare a supplemental fiscal estimate, and shall submit the supplemental fiscal
24 estimate to the legislative reference bureau for reproduction and insertion in the bill
25 jacket envelope.

1 (5) The department of administration may correct any computation or other
2 clerical error in a fiscal estimate prepared by an agency but may not make any
3 substantive change. If the department makes such a correction it shall note on the
4 fiscal estimate prepared by the agency the manner in which it has been corrected by
5 the department and shall submit both the corrected and uncorrected fiscal estimates
6 to the legislative reference bureau.

7 **SECTION 41.** Joint rule 47 is amended to read:

8 **JOINT RULE 47. Duties of joint committee on finance.** The joint committee
9 on finance may by the vote of a majority of its members direct that any legislative
10 fiscal bureau memorandum on a bill referred to the committee, other than a budget
11 bill, be inserted in the bill jacket envelope. If the committee so directs, a copy of the
12 memorandum shall be distributed to all legislators and to the legislative reference
13 bureau.

14 **SECTION 42.** Joint rule 48 is amended to read:

15 **JOINT RULE 48. Review of agency prepared fiscal estimates.** (1) On the 6th
16 working day after the legislative reference bureau submits a copy of a fiscal estimate
17 for an introduced bill to the primary author, the bureau shall forward copies of the
18 fiscal estimate and any worksheet to the legislative fiscal bureau and to the chief
19 clerk of the house of origin to be inserted in the bill jacket envelope and shall
20 forthwith cause the original, signed copy of the estimate and any worksheet to be
21 reproduced as are amendments.

22 (2) During the 5-day period under sub. (1), the primary author of an introduced
23 bill may request that an original fiscal estimate for the bill as affected by an
24 ~~introduced or an un-introduced~~ a proposed amendment or ~~an introduced or~~

1 ~~unintroduced~~ a proposed substitute amendment, whether offered for introduction or
2 not, be prepared by the agency ~~which~~ that prepared the fiscal estimate for the bill.

3 (3) The primary author of an introduced bill may request that the legislative
4 fiscal bureau or the department of administration prepare a supplemental fiscal
5 estimate if the primary author disagrees with the fiscal estimate for the bill prepared
6 by the state agency.

7 (4) During the 5-day period under sub. (1), the primary author of an introduced
8 bill may request that the agency ~~which~~ that prepared the fiscal estimate rewrite its
9 fiscal estimate. If the agency agrees to rewrite the estimate and the primary author
10 agrees to a delay in the publication of the fiscal estimate, the agency shall
11 immediately notify the department of administration and the legislative reference
12 bureau and the rewritten fiscal estimate, notwithstanding sub. (1), shall be the only
13 original estimate reproduced and inserted in the bill jacket envelope, but both the
14 rewritten and the initial fiscal estimate shall be retained by the legislative reference
15 bureau.

16 **SECTION 43.** Joint rule 49 is amended to read:

17 **JOINT RULE 49. Bills not conforming.** (1) Any member may at any time that
18 a bill is before the house raise the issue that ~~such~~ the bill requires a fiscal estimate,
19 and if the presiding officer determines that ~~such~~ the bill (not having ~~such~~ the
20 estimate) requires an estimate, the presiding officer shall direct the legislative
21 reference bureau to secure the requisite estimate.

22 (2) Bills requiring fiscal estimates shall not be voted on by either house, and
23 shall receive neither a public hearing nor be voted on by a standing committee, ~~prior~~
24 to before the receipt of the original fiscal estimate for the bill.