2001 SENATE BILL 116

March 28, 2001 – Introduced by Senators MOEN, BURKE, BRESKE, HARSDORF, SCHULTZ and ROSENZWEIG, cosponsored by Representatives Suder, Kestell, Sherman, Huber, Musser, Ryba, J. Lehman, Kreibich, Plouff, Sykora, Turner, Staskunas, Petrowski, Seratti and Powers. Referred to Joint committee for review of Administrative Rules.

1 AN ACT *to amend* 227.19 (2) of the statutes; **relating to:** notification to the 2 legislature of a proposed rule.

Analysis by the Legislative Reference Bureau

Under current law, after an agency has submitted a proposed rule to the legislative council staff and has conducted any public hearing regarding the proposed rule, the agency may make changes in the rule to reflect suggestions of the legislative council staff or of the persons who submitted comments at the public hearing. Once the agency has prepared the proposed rule in final draft form, current law requires the agency to submit the proposed rule to the presiding officer of each house of the legislature. The agency must also submit a copy of any recommendations made by the legislative council staff and an analysis of the proposed rule, including an explanation of the need for the rule and of any modifications made in the rule as the result of the public hearings. Within seven working days after receipt of the rule and analysis, the presiding officer of each house of the legislature is required under current law to refer the rule and analysis to a legislative standing committee or to a joint legislative committee, except the joint committee for review of administrative rules, for review.

Currently, if the agency submits the notice containing the final draft form of the rule and the analysis on or after November 1 of the even–numbered year, the notice is considered received on the first day of the next regular session, which is in January of the next year. The presiding officer of each house of the legislature has seven days after the first day of that next regular session to refer the rule and analysis to a legislative committee for review. This bill changes the date on or after which the

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receipt of the notice is considered to be the first day of the next regular session to September 1 of the even–numbered year.

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

SECTION 1. 227.19 (2) of the statutes is amended to read:

2 227.19 (2) NOTIFICATION OF LEGISLATURE. An agency shall submit a notice to the 3 presiding officer of each house of the legislature when a proposed rule is in final draft 4 form. The notice shall be submitted in triplicate and shall be accompanied by a report 5 in the form specified under sub. (3). A notice received under this subsection on or 6 after November September 1 of an even-numbered year shall be considered received 7 on the first day of the next regular session of the legislature. Each presiding officer 8 shall, within 7 working days following the day on which the notice and report are 9 received, refer them to one committee, which may be either a standing committee or 10 a joint legislative committee created by law, except the joint committee for review of 11 administrative rules. The agency shall submit to the revisor for publication in the 12 register a statement that a proposed rule has been submitted to the presiding officer 13 of each house of the legislature. Each presiding officer shall enter a similar 14 statement in the journal of his or her house.

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(END)