

2001 DRAFTING REQUEST**Bill**Received: **01/04/2001**Received By: **nelsorp1**Wanted: **As time permits**

Identical to LRB:

For: **Rodney Moen (608) 266-8546**By/Representing: **Melissa**This file may be shown to any legislator: **NO**Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Administrative Law**Extra Copies: **MGD****Pre Topic:**

No specific pre topic given

Topic:

Date of submittal of notice of final draft of a rule

Instructions:

See attached

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	nelsorp1 01/23/2001	hhagen 01/30/2001	pgreensl 02/04/2001	_____	gretskl 02/04/2001	lrb_docadmin 02/19/2001	
/2	nelsorp1 02/28/2001	hhagen 02/28/2001	martykr 02/28/2001	_____	lrb_docadmin 02/28/2001	lrb_docadmin 02/28/2001	

FE Sent For:

<END>

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/?	nelsorp1	<i>1/30/01</i>	<i>2/4</i> <i>pb</i>	<i>2/4</i> <i>self</i>			

FE Sent For:

<END>

LEGISLATIVE REFERENCE BUREAU

Legal Section, 5th Floor, 100 N. Hamilton St.
 (608) 266-3561

BILL REQUEST FORM

RAV

Use of this form is optional. It is often helpful to talk directly with the LRB attorney who will draft the bill. Use this form only for **BILL** drafts. Attach more pages if necessary.

Date of request: 1/3/2001	Legislator or agency requesting this draft: Sen. Mohn
Name/phone number of person submitting request: Melisa White 266-8546	
Persons to contact for questions about this draft (names and phone numbers please):	
<p>Describe the problem, including any helpful examples. How do you want to solve the problem?</p> <p>Sen. Mohn would like to move up the rule-making deadline to Sept. 1 of even numbered years. Currently Nov 1 under s. 227.19(2) (see attached)</p>	
<p>If you know of any statute sections that might be affected, please list them or provide a marked (not re-typed) copy.</p>	

Please attach a copy of any correspondence or material that may help us. You may also attach a marked (not re-typed) copy of any LRB draft, or provide its number (e.g., 1997 LRB-2345/1 or 1995 AB-67):

Requests are confidential unless stated otherwise.

May we tell others that we are working on this for you? YES NO

If yes, anyone who asks? YES NO

Any legislator? YES NO ONLY the following persons:

Do you consider this urgent? YES NO If yes, please indicate why:

Is this request of higher priority than other pending request(s) you have made?

YES NO If yes, please sign your name here:

227.19(2)



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

pt. ←

see s. 13.02 (2) or (3)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1801/1

RPN...*hmk*

2001 BILL

Generate
1 AN ACT ...; relating to: notification to the 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 October 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} odd-numbered 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

BILL

which the 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:

1 **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.

15 History: 1985 a. 182; 1987 a. 253; 1987 a. 403 s. 256; 1989 a. 175.

(END)



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

February 4, 2001

MEMORANDUM

To: Senator Moen

From: Robert P. Nelson, Senior Legislative Attorney

Re: LRB-1801 Date of submittal of notice of final draft of a rule

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-7511 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1801/1

RPN:hmh:pg

stays

OTHER

2001 BILL

Regenerak

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

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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.

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November

legislative council

