

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2507/2dn
DAK&MGD:cjs:jf

April 28, 2003

In general, rules are promulgated to augment statutes, and agencies are prohibited, under s. 227.10 (2), stats., from promulgating rules that conflict with state law. However, it seems to me that s. 227.10 (2), stats., by itself, would not necessarily compel a rule to be construed in the way you intend, particularly if the rule is promulgated without reference to s. 990.001 (17), as created in this bill. Therefore, I have in this draft added "or rule" to s. 990.001 (17), to ensure that a rule concerning a human being that is promulgated that refers to a live birth or the circumstances in which an individual is born alive will have the construction you intend.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us

Michael Dsida
Legislative Attorney
Phone: (608) 266-9867