

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3055/1dn

JTK:cjs:ch

November 12, 2003

Senator Reynolds:

1. This draft fixes the disbursement level (nonbinding spending limit) for the office of metropolitan sewerage district commissioner at \$17,250, which is the same as for the office of representative to the assembly. Substitute a different figure if you wish.
2. The language of the nonstatutory provision preceding the effective date provision of this draft, to the effect that the Joint MMSD Subdistricting Committee created by this draft must introduce a bill and the respective houses of the legislature must consider the bill within 45 days of introduction, creates a rule of procedure under article IV, section 8, of the constitution. The supreme court has held that the remedy for noncompliance with this type of provision lies exclusively within the legislative branch. See *State ex rel. La Follette v. Stitt*, 114 Wis. 2d 358, 363-369 (1983). In other words, while this type of provision may be effective to govern internal legislative procedure, the courts will not enforce this type of provision and it does not affect the validity of any enactment resulting from a procedure that may be viewed as contravening the provision.

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