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**WISCONSIN LEGISLATIVE COUNCIL  
AMENDMENT MEMO**

<b>2003 Senate Bill 1</b>	<b>Senate Amendment 1</b>
<i>Memo published:</i> January 31, 2003	<i>Contact:</i> Mary Offerdahl, Staff Attorney (266-2230)

*Current law* provides that the nine-member delegation representing Wisconsin on the National Conference of Commissioners on Uniform State Laws (NCCUSL) must include two Senators and two Representatives to the Assembly from the two major political parties. [s. 13.55 (1), Stats.] The NCCUSL permits only attorneys who are members of a state bar association to be voting commissioners or associate members of the NCCUSL.

*Senate Bill 1* requires, in compliance with the NCCUSL mandate, that legislative members of Wisconsin's delegation to the NCCUSL be members of the state bar. The bill states that, if a seat cannot be filled because an insufficient number of current legislators are members of the state bar, that seat *shall* be filled by a former legislator who served on the NCCUSL during his or her term as a legislator and who is a member of the state bar. The bill also states that a former legislator *shall* be appointed as are members of standing committees. These provisions do not apply if the NCCUSL permits persons to become voting commissioners or associate members without regard to their membership in the state bar.

*Senate Amendment 1* changes the highlighted "shall" to "may" in both places in the above paragraph.

**Legislative History**

Senate Amendment 1 was offered by Senator Risser and adopted by a voice vote of the Senate on January 28, 2003.

MO:jal;wu



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**WISCONSIN LEGISLATIVE COUNCIL  
ACT MEMO**

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<b>2003 Wisconsin Act 2</b> [2003 Senate Bill 1]	<b>Commission on Uniform State Laws</b>
2003 Acts: <a href="http://www.legis.state.wi.us/2003/data/acts/">www.legis.state.wi.us/2003/data/acts/</a>	Act Memos: <a href="http://www.legis.state.wi.us/lc/act_memo/act_memo.htm">www.legis.state.wi.us/lc/act_memo/act_memo.htm</a>

2003 Wisconsin Act 2 changes the membership requirements for persons who serve on the Commission on Uniform State Laws.

The statutes create a nine-member Commission on Uniform State Laws to advise the Legislature with regard to uniform laws and model laws. Under prior law, the Commission consisted of the Director of the Legislative Council staff or a professional employee designated by the Director, the Chief of the Legislative Reference Bureau or a professional employee designated by the Chief, the Revisor of Statutes, two State Senators and two State Representatives from the two major political parties, and two public members appointed by the Governor.

Act 2 provides that only State Senators and State Representatives who are members of the State Bar of Wisconsin may be appointed to the seats designated for legislators. However, a seat designated for one of these offices that cannot be filled as a result of this requirement may be filled by a former State Senator or a former State Representative from the applicable political party who served on the Commission during his or her term as a Senator or Representative and who is a member of the State Bar of Wisconsin. The requirements of Act 2 do not apply if the National Conference of Commissioners on Uniform State Laws permits persons to become voting commissioners or associate members of that organization without regard to membership in a state bar association.

**Effective Date:** Act 2 takes effect on April 10, 2003.

**Prepared by:** Richard Sweet, Senior Staff Attorney

August 29, 2003

RNS:rv:wu;ksm

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This memo provides a brief description of the Act. For more detailed information,  
consult the text of the law and related legislative documents.

# **Mary E. Panzer**

**Senate Republican Leader**

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## Senate Bill 1

Senator Mary Panzer

I am here today to testify on behalf of Senator Panzer on Senate Bill 1, relating to who may serve as a commissioner on uniform state laws. Current law requires two senators and two representatives from the assembly from the two major political parties. Only attorneys who are members of a state bar association are allowed to be voting commissioners of the National Conference of Commissioners on Uniform State Laws.

The NCCUSL was formed in 1892, in recognition of the legal tangles that could be created by having a patchwork of different and often conflicting state laws across the nation. The development of uniform law recommendations by the conference is a painstaking and thorough process. The greatest successes have been in the area of commercial and business law. The development of the Uniform Commercial Code is but one example. Development of the code took 10 years to complete.

As commerce continues to become more global in nature and businesses cross state borders with increasing frequency, uniform laws and law revisions grow more significant. The Commission benefits from a bipartisan coalition of representatives from across the country. The current makeup of the Wisconsin State Senate does not allow us to appoint our contingent of representatives to the delegation. SB 1 would change the current requirements so that if no current legislator meets the requirement to serve on the

delegation, a former Senator or Representative who was a member of the delegation during his or her term of office could serve. We are fortunate to have an outstanding former Senator, Jody Huelsman, who meets that criteria.

Given the importance that uniform laws have in the current economy, it is important that Wisconsin continue to have a full delegation represented at the national conference. I would respectfully ask for your support of this legislation.