

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

LRB-0195/3dn
RNK:jld:rs

February 11, 2005

Please review this draft very closely to ensure that I have fully captured your intent as expressed at our recent meeting.

I have included a nonstatutory provision that contains a deadline for the submission to the legislative council staff of proposed rules under ss. 23.114 (1) (b) and 28.05 (3), as created in the draft. You will note, however, that the draft provides that this deadline does not apply if, under s. 227.137, stats., the secretary of administration requires DNR to prepare an economic impact report for a proposed rule. This is because the requirement to submit an economic impact report may prevent DNR from submitting the proposed rules by the specified date. To ensure that a delay in the promulgation of rules does not prevent created ss. 23.114 (1) (b) and 28.05 (3) from taking effect, the draft also requires DNR to promulgate emergency rules for the period before permanent rules take effect. Does this nonstatutory provision meet your intent?

Please feel free to contact me if you have any questions concerning this draft.

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