

ASSEMBLY BILL 410 (LRB -2259)

An Act to amend 227.19 (4) (b) 1. a., 227.19 (4) (b) 1. b., 227.19 (5) (b) 1. b. and 227.21 (2) (a) of the statutes; relating to: legislative committee review period of administrative rules and revisor consent regarding technical standards in rules.

2007

06-14.	A.	Introduced by Representatives LeMahieu, Nass, Lothian, Albers, Vos, Hahn and Bies ; cosponsored by Senator Grothman .	
06-14.	A.	Read first time and referred to committee on State Affairs	214
08-28.	A.	Public hearing held.	
11-28.	A.	Executive action taken.	
11-28.	A.	Assembly substitute amendment 1 offered by committee on State Affairs (LRB s0114)	368
12-06.	A.	Report Assembly Substitute Amendment 1 adoption recommended by committee on State Affairs, Ayes 9, Noes 0	378
12-06.	A.	Report passage as amended recommended by committee on State Affairs, Ayes 9, Noes 0	378
12-06.	A.	Referred to committee on Rules	378

2008

01-10.	A.	Placed on calendar 1-15-2008 by committee on Rules.	
01-15.	A.	Read a second time	438
01-15.	A.	Assembly amendment 1 to Assembly substitute amendment 1 offered by Representative LeMahieu (LRB a1048)	438
01-15.	A.	Assembly amendment 1 to Assembly substitute amendment 1 adopted	438
01-15.	A.	Assembly substitute amendment 1 adopted	438
01-15.	A.	Ordered to a third reading	438
01-15.	A.	Rules suspended	438
01-15.	A.	Read a third time and passed	438
01-15.	A.	Ordered immediately messaged	438
01-16.	S.	Received from Assembly	514
01-17.	S.	Read first time and referred to committee on Ethics Reform and Government Operations	518
02-14.	S.	Public hearing held.	
03-05.	S.	Executive action taken.	
03-05.	S.	Report concurrence recommended by committee on Ethics Reform and Government Operations, Ayes 5, Noes 0.	
03-05.	S.	Available for scheduling.	
03-12.	S.	Withdrawn from committee on Senate Organization and taken up.	
03-12.	S.	Read a second time.	
03-12.	S.	Ordered to a third reading.	
03-12.	S.	Rules suspended.	
03-12.	S.	Read a third time and concurred in .	
03-12.	S.	Ordered immediately messaged.	
03-12.	A.	Received from Senate concurred in.	

2007

ENROLLED BILL

07en A B-410

ADOPTED DOCUMENTS:

Orig Engr

A SubAmdt 1 ✓

07 50114 / 1 ✓

Amendments to above (if none, write "NONE"): AA1 - a 1048/1 ✓

Corrections - show date (if none, write "NONE"): None ✓

Topic Rel - as amended

3-13-08
Date

J. Miller
Enrolling Drafter

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2007 ASSEMBLY BILL 410**

November 28, 2007 – Offered by COMMITTEE ON STATE AFFAIRS.

INSERT
AA1-1 ✓

- 1 **AN ACT to amend** 227.19 (4) (b) 1. a., 227.19 (4) (b) 1. b., 227.19 (5) (b) 1. a., 227.19
2 (5) (b) 1. b. and 227.21 (2) (a) of the statutes; **relating to:** legislative committee
3 review period of administrative rules and ~~revisor~~ consent regarding technical
4 standards in rules.

Analysis by the Legislative Reference Bureau

Under current law, the attorney general and revisor of statutes must give consent before an agency may adopt technical standards in a proposed rule by reference to the publication where they appear, rather than placing the standards in the proposed rule. However, the statutes only give the attorney general directions as to when he or she shall give that consent. This substitute amendment removes the requirement that the revisor of statutes must consent to the adoption by reference of the standards.

Currently, a legislative committee, including the Joint Committee for Review of Administrative Rules, has 30 days after a rule is referred to the committee to review the proposed rule. If the committee chairperson requests that the agency proposing the rule meet with the committee or posts a notice that the committee will hold a meeting to review the rule, current law extends the committee review period for an additional 30 days. However, current law provides that the 30-day extension begins on the day that the committee chairperson requests the meeting or on the day that the notice is posted, not at the end of the first 30-day review period. This

substitute amendment removes the requirement that the 30-day extension begins on the day that the committee chairperson requests the meeting or on the day that the meeting notice is posted.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 227.19 (4) (b) 1. a. of the statutes is amended to read:

2 227.19 (4) (b) 1. a. Request in writing that the agency meet with the committee
3 to review the proposed rule. ~~The continuation of the review period begins on the date~~
4 ~~the request is sent to the agency.~~

5 **SECTION 2.** 227.19 (4) (b) 1. b. of the statutes is amended to read:

6 227.19 (4) (b) 1. b. Publish or post notice that the committee will hold a meeting
7 or hearing to review the proposed rule and immediately send a copy of the notice to
8 the agency. ~~The continuation of the review period begins on the date the notice is~~
9 ~~published or posted, whichever is earlier.~~

10 **SECTION 3.** 227.19 (5) (b) 1. a. of the statutes is amended to read:

11 227.19 (5) (b) 1. a. Request in writing that the agency meet with the joint
12 committee for review of administrative rules to review the proposed rule. ~~The~~
13 ~~continuation of the review period begins on the date the request is sent to the agency.~~

14 **SECTION 4.** 227.19 (5) (b) 1. b. of the statutes is amended to read:

15 227.19 (5) (b) 1. b. Publish or post notice that the joint committee for review
16 of administrative rules will hold a meeting or hearing to review the proposed rule and
17 immediately send a copy of the notice to the agency. ~~The continuation of the review~~
18 ~~period begins on the date the notice is published or posted, whichever is earlier.~~

19 **SECTION 5.** 227.21 (2) (a) of the statutes is amended to read.

1 227.21 (2) (a) Except as provided in s. 601.41 (3) (b), to avoid unnecessary
2 expense an agency may, with the consent of the revisor and the attorney general,
3 adopt standards established by technical societies and organizations of recognized
4 national standing by incorporating the standards in its rules by reference to the
5 specific issue or issues of the publication in which they appear, without reproducing
6 the standards in full

7 (END)

INS AA 1-2 ✓

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2007 ASSEMBLY BILL 410**

January 15, 2008 - Offered by Representative LEMAHIEU.

AAI-1 ✓

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1, line 3: delete "revisor" and substitute "legislative reference bureau".

3 2. Page 2, line 19: delete the material beginning with that line and ending with
4 page 3, line 6, and substitute: ✓

5 "SECTION 5m. 227.21 (2) (a) of the statutes, as affected by 2007 Wisconsin Act
6 20, is amended to read:

7 227.21 (2) (a) Except as provided in s. 601.41 (3) (b), to avoid unnecessary
8 expense an agency may, with the consent of the legislative reference bureau and the
9 attorney general, adopt standards established by technical societies and
10 organizations of recognized national standing by incorporating the standards in its

AAI-2 ✓

AA1-2

1 rules by reference to the specific issue or issues of the publication in which they
2 appear, without reproducing the standards in full.”

3 (END)