

2009 DRAFTING REQUEST

Bill

Received: **02/25/2010**

Received By: **jkreye**

Wanted: **As time permits**

Identical to LRB:

For: **Steve Kestell (608) 266-8530**

By/Representing: **dave**

This file may be shown to any legislator: **NO**

Drafter: **jkreye**

May Contact:

Addl. Drafters:

Subject: **Legislature - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Kestell@legis.wisconsin.gov**

Carbon copy (CC:) to: **joseph.kreye@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Advice and consent of the senate for appointments

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	jkreye 02/25/2010	bkraft 02/26/2010	rschluet 03/01/2010	_____	sbasford 03/01/2010		
/1	jkreye 03/03/2010	bkraft 03/03/2010	mduchek 03/03/2010	_____	cduerst 03/03/2010	mbarman 03/03/2010	

FE Sent For: **NONE**

<END>

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*Please jacket slot 1
Joe*

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1 bjk 3/3

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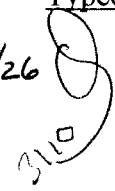
Topic:

Advice and consent of the senate for appointments

Instructions:

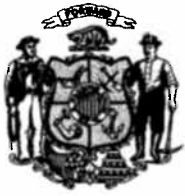
See attached

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/P1	jkreye	/P1 bjk 2/26		_____	_____		

FE Sent For:

<END>



Lbjk

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA
K-ref

m 2-25-10

D-N

1

AN ACT ^{gen.}...; relating to: the advice and consent of the senate for appointments.

Analysis by the Legislative Reference Bureau

This bill codifies the senate rule related to the advice and consent of the senate for appointment nominations submitted to the senate.

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

2

SECTION 1. 13.38 of the statutes is created to read:

3

13.38 Advice and consent of the senate. (1) Whenever a nomination for

4

an appointment is submitted to the senate, as required by law, the president of the

5

senate shall refer the nomination to the standing committee that the president

6

deems to be the most appropriate committee to pass upon the qualifications of the

7

candidate. The committee shall report its findings and recommendations to the

8

senate in writing. Nominations may be considered, and the persons so nominated

9

may with the advice and consent of the senate be appointed during any session of the

10

senate.

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

LRB-4424/P1dn

JK:.....

Ljk

Date

Representative Kestell:

Please review this draft carefully to ensure that it is consistent with your intent. Senate Rule 22 doesn't contain an actual definition of "advice and consent" but does specify the procedure for considering appointment nominations. In addition, Senate Rule 22 (2) specifically indicates that the senate votes on a question of the confirmation of appointments and that the result of the vote is entered in the journal. Therefore, in the context of that senate rule, "advice and consent" of the senate entails an affirmative vote to confirm an appointment. Please contact me if you have any questions.

Joseph T. Kreye
Senior Legislative Attorney
Phone: (608) 266-2263
E-mail: joseph.kreye@legis.wisconsin.gov

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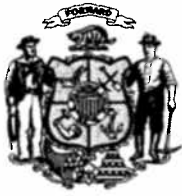
LRB-4424/P1dn
JK:bjk:rs

March 1, 2010

Representative Kestell:

Please review this draft carefully to ensure that it is consistent with your intent. Senate Rule 22 doesn't contain an actual definition of "advice and consent" but does specify the procedure for considering appointment nominations. In addition, Senate Rule 22 (2) specifically indicates that the senate votes on a question of the confirmation of appointments and that the result of the vote is entered in the journal. Therefore, in the context of that senate rule, "advice and consent" of the senate entails an affirmative vote to confirm an appointment. Please contact me if you have any questions.

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Senior Legislative Attorney
Phone: (608) 266-2263
E-mail: joseph.kreye@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-4424/01

JK:bjk:rs

stays

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA

used
in 3-3-10

Today

regr.

1 AN ACT *to create* 13.38 of the statutes; **relating to:** the advice and consent of
2 the senate for appointments.

Analysis by the Legislative Reference Bureau

This bill codifies the senate rule related to the advice and consent of the senate for appointment nominations submitted to the senate.

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

3 SECTION 1. 13.38 of the statutes is created to read:

4 **13.38 Advice and consent of the senate.** (1) Whenever a nomination for
5 an appointment is submitted to the senate, as required by law, the president of the
6 senate shall refer the nomination to the standing committee that the president
7 deems to be the most appropriate committee to pass upon the qualifications of the
8 candidate. The committee shall report its findings and recommendations to the
9 senate in writing. Nominations may be considered, and the persons so nominated

1 may with the advice and consent of the senate be appointed during any session of the
2 senate.

3 (2) On the question of the confirmation of appointments, the vote shall be taken
4 by ayes and noes, which shall be entered upon the journal. The question of
5 confirmation of the appointments is not subject to a motion for reconsideration. The
6 senate may, but is not required to, act upon an appointment resubmitted to the
7 senate when the identical appointment has once been refused confirmation by the
8 senate. The senate chief clerk shall record the cumulative status of all appointments
9 in the bulletin of proceedings. The senate shall inform the governor and the
10 assembly of the senate's final action on confirmation of a nomination for appointment
11 that requires assembly confirmation.

12

(END)