

## 2011 DRAFTING REQUEST

### Bill

Received: 08/24/2011

Received By: jkreye

Wanted: As time permits

Companion to LRB:

For: Timothy Cullen (608) 266-2253

By/Representing: kelley

May Contact:

Drafter: jkreye

Subject: Legislature - miscellaneous

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.Cullen@legis.wisconsin.gov

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

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### Pre Topic:

No specific pre topic given

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### Topic:

Prohibiting a vote on bills during the first 21 days after introduction

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### Instructions:

See attached

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### 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>
/?							
/1	jkreye 08/24/2011	chanaman 08/26/2011	jfrantze 08/26/2011	_____	ggodwin 08/26/2011	lparisi 09/15/2011	

FE Sent For:

*None-*

<END>

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/?	jkreye			<u>8/26</u>			

FE Sent For:

<END>

**Kreye, Joseph**

**From:** Miller, Steve  
**Sent:** Saturday, August 20, 2011 2:03 PM  
**To:** Flury, Kelley  
**Cc:** Kreye, Joseph  
**Subject:** LRB-1927

Kelley,

I received your voice mail. I'll ask Joe to draft the bill.

This is a matter that could also be added to the joint rules.

As I'm sure you know, a statute or a rule would not have the same force as a constitutional amendment.

Steve

PS: I'll be on vacation Mon-Thurs, but will be checking email.



Joe - please call me

2011 SENATE JOINT RESOLUTION

Voice mail

8-19 Kelley Flury 6-2253 (Sen Cullen)

wants this redrafted as a bill

she did not mention jt rules -

cell - 770-9913

1 To amend section 20 of article IV of the constitution; relating to: prohibiting a vote  
2 on bills during the first 21 days after introduction (first consideration).

Steve

Analysis by the Legislative Reference Bureau

EXPLANATION OF PROPOSAL

The Wisconsin Constitution does not place any time limits on the votes on bills. This constitutional amendment, proposed to the 2011 legislature on first consideration, prohibits either house of the legislature from voting on any bill during the first 21 days after the bill is introduced unless two-thirds of the members elected to the house vote to suspend the waiting period.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

3 Resolved by the senate, the assembly concurring, That:

4 SECTION 1. Section 20 of article IV of the constitution is amended to read:

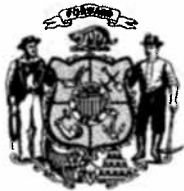
5 [Article IV] Section 20. The yeas and nays of the members of either house on  
6 any question shall, at the request of one-sixth of those present, be entered on the  
7 journal. No bill shall be voted on by either house until 21 days after its introduction

*present and voting 2*

1 unless two-thirds of the members elected to the house vote to suspend the waiting  
2 period.

3 ***Be it further resolved, That*** this proposed amendment be referred to the  
4 legislature to be chosen at the next general election and that it be published for three  
5 months previous to the time of holding such election.

6 (END)



## 2011 BILL

in Wed 8-24

D-N

refer cut

1 AN ACT ...; relating to: prohibiting a vote on bills during the first 21 days after  
2 introduction.

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### *Analysis by the Legislative Reference Bureau*

Under this bill, no house of the legislature may vote on passage of a bill until 21 days after the bill's introduction, unless two-thirds of the members elected to that house vote to suspend the 21-day waiting period.

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

3 SECTION 1. 13.086 of the statutes is created to read:

4 **13.086 Waiting period to vote on bills.** No house of the legislature may vote  
5 on passage of a bill until 21 days after the bill's introduction, unless two-thirds of the  
6 members elected to that house vote to suspend the waiting period described under  
7 this section.

8 SECTION 2. **Initial applicability.**





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

LRB-2728/1dn

JK:.....

Senator Cullen:

Please note that, if the bill becomes law, the legislature, and the courts, may consider the provision created in the bill a legislative rule of proceeding. Consequently, even though the provision would be in the statutes, the legislature could vote to suspend the "rule" created by the bill. Also, the legislature could simply have proposals drafted that would "notwithstanding" the 21-day waiting period.

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

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

LRB-2728/1dn  
JK:cmh:jf

August 26, 2011

Senator Cullen:

Please note that, if the bill becomes law, the legislature, and the courts, may consider the provision created in the bill a legislative rule of proceeding. Consequently, even though the provision would be in the statutes, the legislature could vote to suspend the "rule" created by the bill. Also, the legislature could simply have proposals drafted that would "notwithstanding" the 21-day waiting period.

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Phone: (608) 266-2263  
E-mail: [joseph.kreye@legis.wisconsin.gov](mailto:joseph.kreye@legis.wisconsin.gov)

**Parisi, Lori**

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**From:** Flury, Kelley  
**Sent:** Thursday, September 15, 2011 10:14 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 11-2728/1 Topic: Prohibiting a vote on bills during the first 21 days after introduction

Please Jacket LRB 11-2728/1 for the SENATE.