

2011 DRAFTING REQUEST

Bill

Received: 10/11/2011

Received By: **gmalaise**

Wanted: **Soon**

Companion to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing: **Sarah Briganti**

May Contact:

Drafter: **gmalaise**

Subject: **Administrative Law**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Risser@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Administrative rules; statements of scope; deadline for gubernatorial approval or disapproval

Instructions:

See attached--require governor to approve or disapprove of a statement of scope within 30 days after receipt from agency

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>
/?	gmalaise 10/11/2011	csicilia 10/18/2011		_____			
/1			phenry 10/18/2011	_____	sbasford 10/18/2011	ggodwin 01/31/2012	

FE Sent For:

<END>

↳ Not Needed

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1/?	gmalaise	1 cjs 10/17/11	12/18/11	pn	rs/p		

FE Sent For:

<END>

Malaise, Gordon

From: Briganti, Sarah
Sent: Monday, October 10, 2011 3:41 PM
To: Hurley, Peggy
Cc: Malaise, Gordon
Subject: Drafting Request

Peggy and Gordon,

Senator Risser would like to have a bill drafted to make a change to Ch 227.135 (2).

As a result of 2011 Wisconsin Act 21, Ch. 227.135 (2) states "The agency may not send the statement to the legislative reference bureau for publication under sub. (3) until the governor issues written notice of approval of the statement."

Senator Risser would like to amend this section to require that the Governor issue a decision on statements of scope within 30 days of receipt from an agency.

Thank you in advance for your assistance. Please feel free to contact me if you should have any questions.

Sarah

Sarah Briganti

*Legislative Assistant
Office of Senator Fred Risser
130 South State Capitol
608-266-1627*



IN 10/11



LRB-3178/7
GMMg:.....

gs

Gen Cat

1 AN ACT ~~...~~; relating to: a deadline for gubernatorial approval of the statement
2 of the scope of a proposed rule.

Analysis by the Legislative Reference Bureau

Under current law, a statement of the scope of a proposed rule (statement of scope) must be approved by the governor before any state employee or official may perform any activity in connection with the drafting of the proposed rule. This bill provides that if the governor does not disapprove a statement of scope within 30 days after the statement of scope is presented to the governor, the statement of scope is considered to be approved by the governor.

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

3 SECTION 1. 227.135 (2) of the statutes, as affected by 2011 Wisconsin Act 21,
4 is amended to read:

5 227.135 (2) An agency that has prepared a statement of the scope of the
6 proposed rule shall present the statement to the governor and to the individual or
7 body with policy-making powers over the subject matter of the proposed rule for
8 approval. The agency may not send the statement to the legislative reference bureau

the statement is approved by

1 for publication under sub. (3) until ~~the governor issues a written notice of approval~~
 2 ~~of the statement.~~ *score period* If the governor does not disapprove the statement within 30 days
 3 after the statement is presented to the governor, the statement is considered to be
 4 approved by the governor. *plain period* The individual or body with policy-making powers may
 5 not approve the statement until at least 10 days after publication of the statement
 6 under sub. (3). No state employee or official may perform any activity in connection
 7 with the drafting of a proposed rule except for an activity necessary to prepare the
 8 statement of the scope of the proposed rule until the governor and the individual or
 9 body with policy-making powers over the subject matter of the proposed rule
 10 approves the statement.

History: 1995 a. 106; 2003 a. 118, 145; 2005 a. 249; 2007 a. 20; 2011 a. 21.

SECTION 2. Initial applicability.

12 (1) GUBERNATORIAL APPROVAL OF STATEMENTS OF SCOPE OF PROPOSED RULES. This
 13 act first applies to a statement of the scope of a proposed rule that is presented to the
 14 governor for approval on the effective date of this subsection.

(END)



Godwin, Gigi

From: Briganti, Sarah
Sent: Tuesday, January 31, 2012 4:16 PM
To: LRB.Legal
Subject: Draft Review: LRB 11-3178/1 Topic: Administrative rules; statements of scope; deadline for gubernatorial approval or disapproval

Please Jacket LRB 11-3178/1 for the SENATE.