

2011 Jr1 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB8)

Received: 01/25/2011

Received By: gmalaise

Wanted: 01/26/2011

Companion to LRB:

For: Anthony Staskunas (608) 266-0620

By/Representing: Adrienne Ramirez

May Contact:

Drafter: gmalaise

Subject: Administrative Law

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Staskunas@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Gubernatorial approval of proposed rules; exempt constitutional offices

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>
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FE Sent For:

<END>

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FE Sent For:

<END>

Malaise, Gordon

From: Ramirez, Adrienne
Sent: Tuesday, January 25, 2011 3:00 PM
To: Malaise, Gordon
Subject: Drafting request

Gordon –

Rep. Staskunas would like two amendments drafted to the substitute amendment to Special Session AB 8.
1 Remove all constitutional offices, (Treasurer, Attorney General, Secretary of State and Public Instruction) from this new rule making authority.

Please don't hesitate to contact me if you have any questions.

Thank you for your help.

Adrienne
Office of Rep. Tony Staskunas
6-0620



State of Wisconsin
2011 - 2012 LEGISLATURE

January 2011 Special Session
IN 1/25



LRBa0340/7
GMM

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ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 8

Winkler 1/26 10:00 am

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

1. Page 9, line 7: after "agency" insert "other than the office of the state treasurer, the office of the secretary of state, the department of justice, or the department of public instruction,".

2. Page 9, line 22: after "rule" insert "to which this subsection applies".

3. Page 9, line 25: after that line insert:

"SECTION 4m. 227.135 (2m) of the statutes is created to read:

227.135 (2m) If an agency that is the office of the state treasurer, the office of the secretary of state, the department of justice, or the department of public instruction prepares a statement of the scope of a proposed rule, that agency shall present the statement to the individual or body with policy-making powers over the subject matter of the proposed rule for approval. The individual or body with

1 policy-making powers may not approve the statement until at least 10[✓] days after
2 publication of the statement under sub. (3)[✓]. No state employee or official may
3 perform any activity in connection with the drafting of a proposed rule except for an
4 activity necessary to prepare the statement of the scope of the proposed rule until the
5 individual or body with policy-making powers[✓] over the subject matter of the
6 proposed rule approves the statement.”[✓].

7 **4.** Page 10, line ²³22: after “(2)”[✓] insert “or if the individual or body with
8 policy-making powers over the subject matter of the proposed rule approves a
9 statement of the scope of the proposed rule under sub. (2m)”[✓].

10 **5.** Page 10, line 9: after “(2)” insert “or (2m)”[✓].

11 **6.** Page 16, line 1: after “rule” insert “that has been drafted by an agency other
12 than the office of the state treasurer, the office of the secretary of state, the
13 department of justice, or the department of public instruction”[✓].

14 **7.** Page 16, line 5: after “rule”[✓] insert “that has been drafted by such an agency”.

15 **8.** Page 24, line 11: after “a proposed rule” insert “that has been drafted by an
16 agency other than the office of the state treasurer, the office of the secretary of state,
17 the department of justice, or the department of public instruction”[✓].

18 **9.** Page 24, line 18: after “objection” insert “or if the proposed rule or part of
19 the proposed rule is not reported to the governor”[✓].

20 **10.** Page 26, line 14: after “(2)” insert “or (2m)”[✓].

21 **11.** Page 27, line 2: after “writing.” insert “This subdivision[✓] does not apply to
22 a proposed emergency rule drafted by the office of the state treasurer, the office of the

1 secretary of state, the department of justice, or the department of public
2 instruction." ✓

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12. Page 28, line 23: after "(2)" insert "(2m)".

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(END)