

2013 DRAFTING REQUEST

Bill

Received: 11/25/2013 Received By: jkreye
Wanted: As time permits Same as LRB:
For: Duey Stroebel (608) 267-2369 By/Representing: John
May Contact: Drafter: jkreye
Subject: Tax, Other - estate Addl. Drafters: mshovers

Extra Copies:

Submit via email: YES
Requester's email: rep.stroebel@legis.wisconsin.gov
Carbon copy (CC) to: joseph.kreye@legis.wisconsin.gov
marc.shovers@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Repeal administrative rules relating to the estate tax and the county operating levy rate

Instructions:

Repeal ch. 10 TAX and ch. 21 TAX from the administrative rules. According to John, DOR believes these rules are obsolete and the department does not use them

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>
/?	jkreye 11/25/2013			_____			
/1	jkreye 12/9/2013	csicilia 12/4/2013	jfrantze 12/4/2013	_____	srose 12/4/2013		
/2		csicilia	rschluet	_____	srose	lparisi	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		12/9/2013	12/9/2013	_____	12/9/2013	12/30/2013	

FE Sent For:

↳ Not Needed

<END>

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		12/9/2013	12/9/2013	_____	12/9/2013		

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No specific pre topic given

Topic:

Repeal administrative rules relating to the estate tax and the county operating levy rate ✓

Instructions:

Repeal ch. 10 TAX and ch. 21 TAX from the administrative rules. According to John, DOR believes these rules are obsolete and the department does not use them

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/1	jkreye	csicilia 12/4/2013	jfrantze 12/4/2013	_____	srose 12/4/2013		

1/2 js 12/9/13
9
12/9/13

FE Sent For:

<END>

Kreye, Joseph

From: Soper, John
Sent: Friday, December 06, 2013 2:47 PM
To: Kreye, Joseph; Shovers, Marc
Subject: LRBs 3715/1 & 3708/1

Rep. Stroebel would like these two bills combined. It appears that sections 1-14 are identical and the only difference is a single line stating what chapter is repealed. The bills would be going to the same committee and are of the same subject matter. It is procedurally easier for our office if they are combined. I do not care which bill subsumes the other. Thank you.

John Soper
Research Assistant
Office of Rep. Duey Stroebel
608-267-2370

2013 DRAFTING REQUEST

Bill

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For: Duey Stroebel (608) 267-2369 By/Representing: John
May Contact: Drafter: jkreye
Subject: Tax, Other - estate Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: rep.stroebel@legis.wisconsin.gov
Carbon copy (CC) to: joseph.kreye@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Repeal administrative rules relating to the estate tax

Instructions:

Repeal ch. 10 TAX from the administrative rules. According to John, DOR believes these rules are obsolete and the department does not use them in administering ch. 72

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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/1		csicilia 12/4/2013	jfrantze 12/4/2013	_____	srose 12/4/2013		

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

Pre Topic:

No specific pre topic given

Topic:

Repeal administrative rules relating to the estate tax

Instructions:

Repeal ch. 10 TAX from the administrative rules. According to John, DOR believes these rules are obsolete and the department does not use them in administering ch. 72

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>
/?	jkreye	1 gjs 12/4 13		R3 12/4 Jb			

FE Sent For:

<END>

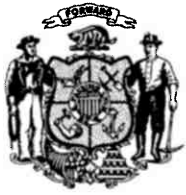
Kreye, Joseph

From: Shovers, Marc
Sent: Friday, November 22, 2013 2:21 PM
To: Kreye, Joseph
Subject: Repeal of administrative rule TAX 10

Hi Joe:

I talked to John in Rep. Stroebel's office and he said they want to repeal admin rule TAX 10 because DOR says it's obsolete. John also said that if the feds ever change how they calculate the inheritance tax it could reinstate Wisconsin's tax, which piggy backed on the federal tax, so they just want to have this rule repealed. You can call John @ 7-2370 if you have any further questions. You can look at my draft, LRB -3708, as a guide. Thanks.

Marc



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2013 BILL

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rule-making procedures and

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x refs
x refs
St code

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AN ACT ...; relating to: repealing administrative rules relating to the estate tax

Analysis by the Legislative Reference Bureau

Under current law, the state does not impose an estate tax. This bill repeals the administrative rules that relate to the estate tax.

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

SECTION 1. Chapter Tax 10 of the administrative code is repealed.

(END)

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INS A

Subsub
Administrative rules relating to the estate tax

INS B
INS C



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA

AN ACT ...; relating to: rulemaking procedures.

INSA

Analysis by the Legislative Reference Bureau

Rule-making procedures

Current law sets forth a procedure for the promulgation of administrative rules (rules). Generally, that procedure consists of the following steps:

1. The agency planning to promulgate the rule prepares a statement of the scope of the proposed rule, which the governor and the agency head must approve before any state employee or official may perform any activity in connection with the drafting of the proposed rule.

2. The agency drafts the proposed rule, together with an economic impact analysis, plain language analysis, and fiscal estimate for the proposed rule, and submits those materials to the Legislative Council Staff for review.

3. Subject to certain exceptions, a public hearing is held on the proposed rule.

4. The final draft of the proposed rule is submitted to the governor for approval.

5. The final draft of the proposed rule, together with an economic impact analysis, plain language analysis, and fiscal estimate for the proposed rule, are submitted to the legislature for review by one standing committee in each house and by the Joint Committee for Review of Administrative Rules.

6. The proposed rule is filed with the Legislative Reference Bureau (LRB) for publication in the Wisconsin Administrative Code (code) and the Wisconsin Administrative Register (register), and, subject to certain exceptions, the rule becomes effective on the first day of the first month beginning after publication.

Under this bill, if a bill that repeals or modifies a rule is enacted, the ordinary rule-making procedures under current law do not apply. Instead, the LRB must



publish the repeal or modification, in the code and the register, and the repeal or modification, subject to certain exceptions, takes effect on the first day of the first month beginning after publication.

(end INs A)

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

SECTION 1. 13.92 (4) (bm) of the statutes is created to read:

13.92 (4) (bm) If 2 or more rules filed under s. 227.20 or modified under s. 227.265 affect the same unit of the Wisconsin administrative code without taking cognizance of the effect thereon of the other rules and if the legislative reference bureau finds that there is no mutual inconsistency in the changes made by each such rule, the legislative reference bureau shall incorporate the changes made by each rule into the text of the unit and document the incorporation in a note to the unit. For each such incorporation, the legislative reference bureau shall include in a correction bill a provision formally validating the incorporation. Section 227.27 (2) is not affected by printing decisions made by the legislative reference bureau under this paragraph.

SECTION 2. 13.92 (4) (c) of the statutes is amended to read:

13.92 (4) (c) The legislative reference bureau may insert in the Wisconsin administrative code a note explaining any change made under par. (b) or (bm).

SECTION 3. 13.92 (4) (d) of the statutes is amended to read:

13.92 (4) (d) Sections 227.114, 227.116, 227.135, and 227.14 to 227.24 do not apply to any change made by the legislative reference bureau under par. (b) or (bm).

SECTION 4. 13.92 (4) (e) of the statutes is amended to read:

13.92 (4) (e) The legislative reference bureau shall prepare and keep on file a record of each change made under par. (b) or (bm).

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B

↓

SECTION 5. 13.92 (4) (f) of the statutes is amended to read:

13.92 (4) (f) The legislative reference bureau shall notify the agency involved of each change made under par. (b) or (bm).

SECTION 6. 35.93 (2) (b) 4. of the statutes, as affected by 2013 Wisconsin Act 20, is amended to read: ✓


35.93 (2) (b) 4. Copies of all rules filed with the legislative reference bureau under s. 227.20 (1) or modified under s. 227.265 since the compilation of the preceding register, including emergency rules filed under s. 227.24 (3).

SECTION 7. 35.93 (2) (c) 1. of the statutes, as affected by 2013 Wisconsin Act 20, is amended to read: ✓

35.93 (2) (c) 1. Each chapter of the Wisconsin administrative code that has been affected by rules filed with legislative reference bureau under s. 227.20 (1) or modified under s. 227.265, in accordance with sub. (3) (e) 1.

SECTION 8. 35.93 (3) of the statutes is amended to read: ✓

35.93 (3) The legislative reference bureau shall compile and deliver to the department for printing copy for a register which shall contain all the rules filed under s. 227.20 or modified under s. 227.265 since the compilation of rules for the preceding issue of the register was made and those executive orders which are to be in effect for more than 90 days or an informative summary thereof. The complete register shall be compiled and published before the first day of each month and a notice section of the register shall be compiled and published before the 15th day of each month. Each issue of the register shall contain a title page with the name "Wisconsin administrative register", the number and date of the register, and a table of contents. Each page of the register shall also contain the date and number of the register of which it is a part in addition to the other necessary code titles and page



numbers. The legislative reference bureau may include in the register such instructions or information as in the bureau's judgment will help the user to correctly make insertions and deletions in the code and to keep the code current.

SECTION 9. 35.93 (3) (e) (intro.) of the statutes, as affected by 2013 Wisconsin Act 20, is amended to read: ✓

35.93 (3) (e) (intro.) The legislative reference bureau shall incorporate into the appropriate chapters of the Wisconsin administrative code each permanent rule filed with the legislative reference bureau under s. 227.20 (1) or modified under s. 227.265 and, for each chapter of the administrative code affected by a rule, do all of the following:

SECTION 10. 35.93 (3) (e) 1. of the statutes, as affected by 2013 Wisconsin Act 20, is amended to read: ✓

35.93 (3) (e) 1. Publish the chapter in the appropriate end-of-month register in accordance with the filing deadline for publication established in the rules procedures manual published under s. 227.15 (7) ~~or~~, in an end-of-month register agreed to by the submitting agency and the legislative reference bureau, or, in the case of a rule modified under s. 227.265, in the end-of-month register for the month in which the bill modifying the rule is enacted.

SECTION 11. 227.01 (13) (intro.) of the statutes is amended to read:

227.01 (13) (intro.) "Rule" means a regulation, standard, statement of policy, or general order of general application which has the effect of law and which is issued by an agency to implement, interpret, or make specific legislation enforced or administered by the agency or to govern the organization or procedure of the agency. "Rule" includes a modification of a rule under s. 227.265. "Rule" does not include, and

↘

s. 227.10 does not apply to, any action or inaction of an agency, whether it would otherwise meet the definition under this subsection, which:

SECTION 12. 227.11 (2) (intro.) of the statutes is amended to read:

227.11 (2) (intro.) Rule-making authority is expressly conferred on an agency as follows:

SECTION 13. 227.265 of the statutes is created to read:

227.265 Repeal or modification of rules. If a bill to repeal or modify a rule is enacted, the procedures under ss. 227.114 to 227.21 and 227.26 do not apply. Instead, the legislative reference bureau shall publish the repeal or modification in the Wisconsin administrative code and register as required under s. 35.93, and the repeal or modification shall take effect as provided in s. 227.22.

SECTION 14. 227.27 (2) of the statutes is amended to read:

227.27 (2) The code shall be prima facie evidence in all courts and proceedings as provided by s. 889.01, but this does not preclude reference to or, in case of a discrepancy, control over a rule filed with the legislative reference bureau ~~or the secretary of state~~ under s. 227.20 or modified under s. 227.265, and the certified copy of a rule shall also and in the same degree be prima facie evidence in all courts and proceedings.

<end
INS B>

SECTION 15. Effective dates. This act takes effect on the day after publication, except as follows:

- (1) The treatment of section 35.93 (2) (b) 4. and (c) 1. and (3) (e) (intro.) and 1. of the statutes takes effect on January 1, 2015. ✓ ✓ ✓ ✓

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(END)



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RMR

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2013 BILL

in 12-9-13

due Friday
12-13

Coer Cat

and the county operating
levy rate limit

SM

1 AN ACT to amend 13.92 (4) (c), 13.92 (4) (d), 13.92 (4) (e), 13.92 (4) (f), 35.93 (2)
 2 (b) 4., 35.93 (2) (c) 1., 35.93 (3), 35.93 (3) (e) (intro.), 35.93 (3) (e) 1., 227.01 (13)
 3 (intro.), 227.11 (2) (intro.) and 227.27 (2); and to create 13.92 (4) (bm) and
 4 227.265 of the statutes; relating to: rule-making procedures and repealing
 5 administrative rules relating to the estate tax

Analysis by the Legislative Reference Bureau

Rule-making procedures

Current law sets forth a procedure for the promulgation of administrative rules (rules). Generally, that procedure consists of the following steps:

1. The agency planning to promulgate the rule prepares a statement of the scope of the proposed rule, which the governor and the agency head must approve before any state employee or official may perform any activity in connection with the drafting of the proposed rule.

2. The agency drafts the proposed rule, together with an economic impact analysis, plain language analysis, and fiscal estimate for the proposed rule, and submits those materials to the Legislative Council Staff for review.

3. Subject to certain exceptions, a public hearing is held on the proposed rule.

4. The final draft of the proposed rule is submitted to the governor for approval.

5. The final draft of the proposed rule, together with an economic impact analysis, plain language analysis, and fiscal estimate for the proposed rule, are

BILL

submitted to the legislature for review by one standing committee in each house and by the Joint Committee for Review of Administrative Rules.

6. The proposed rule is filed with the Legislative Reference Bureau (LRB) for publication in the Wisconsin Administrative Code (code) and the Wisconsin Administrative Register (register), and, subject to certain exceptions, the rule becomes effective on the first day of the first month beginning after publication.

Under this bill, if a bill that repeals or modifies a rule is enacted, the ordinary rule-making procedures under current law do not apply. Instead, the LRB must publish the repeal or modification, in the code and the register, and the repeal or modification, subject to certain exceptions, takes effect on the first day of the first month beginning after publication.

Administrative rules relating to the estate tax

Under current law, the state does not impose an estate tax. This bill repeals the administrative rules that relate to the estate tax.

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

1 **SECTION 1.** 13.92 (4) (bm) of the statutes is created to read:

2 13.92 (4) (bm) If 2 or more rules filed under s. 227.20 or modified under s.
3 227.265 affect the same unit of the Wisconsin administrative code without taking
4 cognizance of the effect thereon of the other rules and if the legislative reference
5 bureau finds that there is no mutual inconsistency in the changes made by each such
6 rule, the legislative reference bureau shall incorporate the changes made by each
7 rule into the text of the unit and document the incorporation in a note to the unit.
8 For each such incorporation, the legislative reference bureau shall include in a
9 correction bill a provision formally validating the incorporation. Section 227.27 (2)
10 is not affected by printing decisions made by the legislative reference bureau under
11 this paragraph.

12 **SECTION 2.** 13.92 (4) (c) of the statutes is amended to read:

13 13.92 (4) (c) The legislative reference bureau may insert in the Wisconsin
14 administrative code a note explaining any change made under par. (b) or (bm).

Amend
A →

BILL

1 **SECTION 3.** 13.92 (4) (d) of the statutes is amended to read:

2 13.92 (4) (d) Sections 227.114, 227.116, 227.135, and 227.14 to 227.24 do not
3 apply to any change made by the legislative reference bureau under par. (b) or (bm).

4 **SECTION 4.** 13.92 (4) (e) of the statutes is amended to read:

5 13.92 (4) (e) The legislative reference bureau shall prepare and keep on file a
6 record of each change made under par. (b) or (bm).

7 **SECTION 5.** 13.92 (4) (f) of the statutes is amended to read:

8 13.92 (4) (f) The legislative reference bureau shall notify the agency involved
9 of each change made under par. (b) or (bm).

10 **SECTION 6.** 35.93 (2) (b) 4. of the statutes, as affected by 2013 Wisconsin Act 20,
11 is amended to read:

12 35.93 (2) (b) 4. Copies of all rules filed with the legislative reference bureau
13 under s. 227.20 (1) or modified under s. 227.265 since the compilation of the
14 preceding register, including emergency rules filed under s. 227.24 (3).

15 **SECTION 7.** 35.93 (2) (c) 1. of the statutes, as affected by 2013 Wisconsin Act 20,
16 is amended to read:

17 35.93 (2) (c) 1. Each chapter of the Wisconsin administrative code that has been
18 affected by rules filed with legislative reference bureau under s. 227.20 (1) or
19 modified under s. 227.265, in accordance with sub. (3) (e) 1.

20 **SECTION 8.** 35.93 (3) of the statutes is amended to read:

21 35.93 (3) The legislative reference bureau shall compile and deliver to the
22 department for printing copy for a register which shall contain all the rules filed
23 under s. 227.20 or modified under s. 227.265 since the compilation of rules for the
24 preceding issue of the register was made and those executive orders which are to be
25 in effect for more than 90 days or an informative summary thereof. The complete

BILL**SECTION 8**

1 register shall be compiled and published before the first day of each month and a
2 notice section of the register shall be compiled and published before the 15th day of
3 each month. Each issue of the register shall contain a title page with the name
4 “Wisconsin administrative register”, the number and date of the register, and a table
5 of contents. Each page of the register shall also contain the date and number of the
6 register of which it is a part in addition to the other necessary code titles and page
7 numbers. The legislative reference bureau may include in the register such
8 instructions or information as in the bureau’s judgment will help the user to correctly
9 make insertions and deletions in the code and to keep the code current.

10 **SECTION 9.** 35.93 (3) (e) (intro.) of the statutes, as affected by 2013 Wisconsin
11 Act 20, is amended to read:

12 35.93 (3) (e) (intro.) The legislative reference bureau shall incorporate into the
13 appropriate chapters of the Wisconsin administrative code each permanent rule filed
14 with the legislative reference bureau under s. 227.20 (1) or modified under s. 227.265
15 and, for each chapter of the administrative code affected by a rule, do all of the
16 following:

17 **SECTION 10.** 35.93 (3) (e) 1. of the statutes, as affected by 2013 Wisconsin Act
18 20, is amended to read:

19 35.93 (3) (e) 1. Publish the chapter in the appropriate end-of-month register
20 in accordance with the filing deadline for publication established in the rules
21 procedures manual published under s. 227.15 (7) ~~or~~, in an end-of-month register
22 agreed to by the submitting agency and the legislative reference bureau, or, in the
23 case of a rule modified under s. 227.265, in the end-of-month register for the month
24 in which the bill modifying the rule is enacted.

25 **SECTION 11.** 227.01 (13) (intro.) of the statutes is amended to read:

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1 227.01 (13) (intro.) “Rule” means a regulation, standard, statement of policy,
2 or general order of general application which has the effect of law and which is issued
3 by an agency to implement, interpret, or make specific legislation enforced or
4 administered by the agency or to govern the organization or procedure of the agency.
5 “Rule” includes a modification of a rule under s. 227.265. “Rule” does not include, and
6 s. 227.10 does not apply to, any action or inaction of an agency, whether it would
7 otherwise meet the definition under this subsection, which:

8 **SECTION 12.** 227.11 (2) (intro.) of the statutes is amended to read:

9 227.11 (2) (intro.) Rule-making authority is expressly conferred on an agency
10 as follows:

11 **SECTION 13.** 227.265 of the statutes is created to read:

12 **227.265 Repeal or modification of rules.** If a bill to repeal or modify a rule
13 is enacted, the procedures under ss. 227.114 to 227.21 and 227.26 do not apply.
14 Instead, the legislative reference bureau shall publish the repeal or modification in
15 the Wisconsin administrative code and register as required under s. 35.93, and the
16 repeal or modification shall take effect as provided in s. 227.22.

17 **SECTION 14.** 227.27 (2) of the statutes is amended to read:

18 227.27 (2) The code shall be prima facie evidence in all courts and proceedings
19 as provided by s. 889.01, but this does not preclude reference to or, in case of a
20 discrepancy, control over a rule filed with the legislative reference bureau ~~or the~~
21 ~~secretary of state~~ under s. 227.20 or modified under s. 227.265, and the certified copy
22 of a rule shall also and in the same degree be prima facie evidence in all courts and
23 proceedings.

24 **SECTION 15.** Chapter Tax 10 of the administrative code is repealed.

7 Insert 5-24



2013 BILL

1 AN ACT *to amend* 13.92 (4) (c), 13.92 (4) (d), 13.92 (4) (e), 13.92 (4) (f), 35.93 (2)
2 (b) 4., 35.93 (2) (c) 1., 35.93 (3), 35.93 (3) (e) (intro.), 35.93 (3) (e) 1., 227.01 (13)
3 (intro.), 227.11 (2) (intro.) and 227.27 (2); and *to create* 13.92 (4) (bm) and
4 227.265 of the statutes; **relating to:** rule-making procedures and repealing
5 administrative rules relating to the county operating levy rate limit.

Analysis by the Legislative Reference Bureau

Rule-making procedures

Current law sets forth a procedure for the promulgation of administrative rules (rules). Generally, that procedure consists of the following steps:

1. The agency planning to promulgate the rule prepares a statement of the scope of the proposed rule, which the governor and the agency head must approve before any state employee or official may perform any activity in connection with the drafting of the proposed rule.

2. The agency drafts the proposed rule, together with an economic impact analysis, plain language analysis, and fiscal estimate for the proposed rule, and submits those materials to the Legislative Council Staff for review.

3. Subject to certain exceptions, a public hearing is held on the proposed rule.

4. The final draft of the proposed rule is submitted to the governor for approval.

5. The final draft of the proposed rule, together with an economic impact analysis, plain language analysis, and fiscal estimate for the proposed rule, are

BILL

submitted to the legislature for review by one standing committee in each house and by the Joint Committee for Review of Administrative Rules.

6. The proposed rule is filed with the Legislative Reference Bureau (LRB) for publication in the Wisconsin Administrative Code (code) and the Wisconsin Administrative Register (register), and, subject to certain exceptions, the rule becomes effective on the first day of the first month beginning after publication.

Under this bill, if a bill that repeals or modifies a rule is enacted, the ordinary rule-making procedures under current law do not apply. Instead, the LRB must publish the repeal or modification, in the code and the register, and the repeal or modification, subject to certain exceptions, takes effect on the first day of the first month beginning after publication.

Amend A

Administrative rules relating to the county operating levy rate limit

Under current law, the county operating levy rate limit does not apply to any county levy that is imposed in December 2011 or any year thereafter.

This bill repeals the administrative rules that relate to the county operating levy rate limit.

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

1 **SECTION 1.** 13.92 (4) (bm) of the statutes is created to read:

2 13.92 (4) (bm) If 2 or more rules filed under s. 227.20 or modified under s.
3 227.265 affect the same unit of the Wisconsin administrative code without taking
4 cognizance of the effect thereon of the other rules and if the legislative reference
5 bureau finds that there is no mutual inconsistency in the changes made by each such
6 rule, the legislative reference bureau shall incorporate the changes made by each
7 rule into the text of the unit and document the incorporation in a note to the unit.
8 For each such incorporation, the legislative reference bureau shall include in a
9 correction bill a provision formally validating the incorporation. Section 227.27 (2)
10 is not affected by printing decisions made by the legislative reference bureau under
11 this paragraph.

12 **SECTION 2.** 13.92 (4) (c) of the statutes is amended to read:

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1 13.92 (4) (c) The legislative reference bureau may insert in the Wisconsin
2 administrative code a note explaining any change made under par. (b) or (bm).

3 **SECTION 3.** 13.92 (4) (d) of the statutes is amended to read:

4 13.92 (4) (d) Sections 227.114, 227.116, 227.135, and 227.14 to 227.24 do not
5 apply to any change made by the legislative reference bureau under par. (b) or (bm).

6 **SECTION 4.** 13.92 (4) (e) of the statutes is amended to read:

7 13.92 (4) (e) The legislative reference bureau shall prepare and keep on file a
8 record of each change made under par. (b) or (bm).

9 **SECTION 5.** 13.92 (4) (f) of the statutes is amended to read:

10 13.92 (4) (f) The legislative reference bureau shall notify the agency involved
11 of each change made under par. (b) or (bm).

12 **SECTION 6.** 35.93 (2) (b) 4. of the statutes, as affected by 2013 Wisconsin Act 20,
13 is amended to read:

14 35.93 (2) (b) 4. Copies of all rules filed with the legislative reference bureau
15 under s. 227.20 (1) or modified under s. 227.265 since the compilation of the
16 preceding register, including emergency rules filed under s. 227.24 (3).

17 **SECTION 7.** 35.93 (2) (c) 1. of the statutes, as affected by 2013 Wisconsin Act 20,
18 is amended to read:

19 35.93 (2) (c) 1. Each chapter of the Wisconsin administrative code that has been
20 affected by rules filed with legislative reference bureau under s. 227.20 (1) or
21 modified under s. 227.265, in accordance with sub. (3) (e) 1.

22 **SECTION 8.** 35.93 (3) of the statutes is amended to read:

23 35.93 (3) The legislative reference bureau shall compile and deliver to the
24 department for printing copy for a register which shall contain all the rules filed
25 under s. 227.20 or modified under s. 227.265 since the compilation of rules for the

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1 preceding issue of the register was made and those executive orders which are to be
2 in effect for more than 90 days or an informative summary thereof. The complete
3 register shall be compiled and published before the first day of each month and a
4 notice section of the register shall be compiled and published before the 15th day of
5 each month. Each issue of the register shall contain a title page with the name
6 "Wisconsin administrative register", the number and date of the register, and a table
7 of contents. Each page of the register shall also contain the date and number of the
8 register of which it is a part in addition to the other necessary code titles and page
9 numbers. The legislative reference bureau may include in the register such
10 instructions or information as in the bureau's judgment will help the user to correctly
11 make insertions and deletions in the code and to keep the code current.

12 **SECTION 9.** 35.93 (3) (e) (intro.) of the statutes, as affected by 2013 Wisconsin
13 Act 20, is amended to read:

14 35.93 (3) (e) (intro.) The legislative reference bureau shall incorporate into the
15 appropriate chapters of the Wisconsin administrative code each permanent rule filed
16 with the legislative reference bureau under s. 227.20 (1) or modified under s. 227.265
17 and, for each chapter of the administrative code affected by a rule, do all of the
18 following:

19 **SECTION 10.** 35.93 (3) (e) 1. of the statutes, as affected by 2013 Wisconsin Act
20 20, is amended to read:

21 35.93 (3) (e) 1. Publish the chapter in the appropriate end-of-month register
22 in accordance with the filing deadline for publication established in the rules
23 procedures manual published under s. 227.15 (7) ~~or~~, in an end-of-month register
24 agreed to by the submitting agency and the legislative reference bureau, or, in the

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1 case of a rule modified under s. 227.265, in the end-of-month register for the month
2 in which the bill modifying the rule is enacted.

3 **SECTION 11.** 227.01 (13) (intro.) of the statutes is amended to read:

4 227.01 (13) (intro.) "Rule" means a regulation, standard, statement of policy,
5 or general order of general application which has the effect of law and which is issued
6 by an agency to implement, interpret, or make specific legislation enforced or
7 administered by the agency or to govern the organization or procedure of the agency.
8 "Rule" includes a modification of a rule under s. 227.265. "Rule" does not include, and
9 s. 227.10 does not apply to, any action or inaction of an agency, whether it would
10 otherwise meet the definition under this subsection, which:

11 **SECTION 12.** 227.11 (2) (intro.) of the statutes is amended to read:

12 227.11 (2) (intro.) Rule-making authority is expressly conferred on an agency
13 as follows:

14 **SECTION 13.** 227.265 of the statutes is created to read:

15 **227.265 Repeal or modification of rules.** If a bill to repeal or modify a rule
16 is enacted, the procedures under ss. 227.114 to 227.21 and 227.26 do not apply.
17 Instead, the legislative reference bureau shall publish the repeal or modification in
18 the Wisconsin administrative code and register as required under s. 35.93, and the
19 repeal or modification shall take effect as provided in s. 227.22.

20 **SECTION 14.** 227.27 (2) of the statutes is amended to read:

21 227.27 (2) The code shall be prima facie evidence in all courts and proceedings
22 as provided by s. 889.01, but this does not preclude reference to or, in case of a
23 discrepancy, control over a rule filed with the legislative reference bureau ~~or the~~
24 ~~secretary of state~~ under s. 227.20 or modified under s. 227.265, and the certified copy

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1 of a rule shall also and in the same degree be prima facie evidence in all courts and
2 proceedings.

3 **SECTION 15.** Chapter Tax 21 of the administrative code is repealed.

4 **SECTION 16. Effective dates.** This act takes effect on the day after publication,
5 except as follows:

6 (1) The treatment of section 35.93 (2) (b) 4 and (c) 1. and (3) (e) (intro.) and 1.
7 of the statutes takes effect on January 1, 2015.

8 (END)

*insert
5-24*

X X

Parisi, Lori

From: Soper, John
Sent: Monday, December 30, 2013 1:20 PM
To: LRB.Legal
Subject: Draft Review: LRB -3715/2 Topic: Repeal administrative rules relating to the estate tax and the county operating levy rate

RUSH

Please Jacket LRB -3715/2 for the ASSEMBLY.