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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2013-14

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on...

Government Operations and State Licensing (AC-GOSL) (Repealed 10-17-13)

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (December 2014)

Assembly

Record of Committee Proceedings

Committee on Government Operations and State Licensing

Senate Bill 2

Relating to: the publication and effective dates of acts.

By Senator Grothman; cosponsored by Representative Nass.

February 04, 02013 Referred to Committee on Government Operations and State Licensing

February 13, 2013 **Public Hearing Held**

Present: (8) Representative August; Representatives Craig, Knodl, Kooyenga, Hutton, Hulsey, Ringhand and Nass.

Absent: (1) Representative Sinicki.

Excused: (0) None.

Appearances For

- Glenn Grothman - Senator - 20th Senate District
- Steve Nass - Representative - 33rd Assembly District

Appearances Against

- Doug La Follette - Secretary of State - Secretary of State
- Joan Diers

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

February 27, 2013 **Executive Session Held**

Present: (8) Representative August; Representatives Craig,
Knodl, Kooyenga, Hutton, Hulsey, Ringhand
and Nass.
Absent: (0) None.
Excused: (1) Representative Sinicki.

Moved by Representative Kooyenga, seconded by Representative
Knodl that **Senate Bill 2** be recommended for concurrence.

Ayes: (6) Representative August; Representatives
Craig, Knodl, Kooyenga, Hutton and Nass.

Noes: (2) Representatives Hulsey and Ringhand.
Absent: (1) Representative Sinicki.

CONCURRENCE RECOMMENDED, Ayes 6, Noes 2

Luke Bacher
Committee Clerk

**Glenn
Grothman**
STATE SENATOR
20TH SENATE DISTRICT

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February 13, 2013

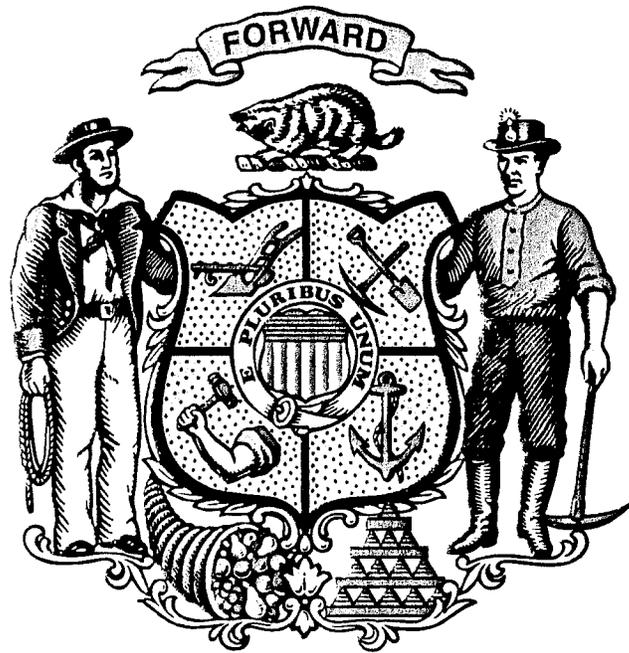
To: Members of the Assembly Committee on Government Operations and State Licensing
From: Senator Glenn Grothman
Re: Senate Bill 2

Under current law, the Secretary of State is required to set a publication date for new Acts within ten working days after the date of enactment. The Legislative Reference Bureau (LRB) then publishes the Act on that date, and only then the Act becomes law.

The date of enactment is defined by statute as “approval by the governor, passage over the governor's veto or failure of the governor to act on it.” In other words, a bill has been through the entire legislative process, has been approved by both houses, and has (most likely) been signed by the governor. Therefore, the peoples’ will has been done.

This ten-day cushion of time given to the Secretary of State is an arbitrary amount of time that has nothing to do with enacting the will of the people. In fact, it delays the will of the people unnecessarily, and gives the Secretary of State the arbitrary power to speed Acts into law or delay them, depending on his/her whim.

This bill, Senate Bill 2, does away with this unnecessary provision and directs the LRB to publish each Act on the day after the date of enactment.



Stephen L. Nass
Wisconsin State Representative

2013 Senate Bill 2
Publication and Effective Dates of Acts

Representative Steve Nass
February 13, 2013
Assembly Committee on Government Operations and State Licensing

Chairman August and committee members thank you for the opportunity to testify in favor of 2013 Senate Bill 2. This proposal clarifies the process for publishing the enactment of legislative bills into law. It also prescribes the time when Acts take effect, unless the provisions of the enactment contain a specific effective date.

Currently, the process requires that all bills signed by the Governor or enacted by a veto override be deposited at the Secretary of State's Office. The Secretary of State must, within ten days, set a date of publication. The Secretary of State must then notify the Legislative Reference Bureau, no later than the next working day after deposit, of his or her determination of a date of publication. Current law also requires the Legislative Reference Bureau (LRB) to publish each Act within ten working days of its date of enactment. Under the statutes, all acts must be printed and this can include an electronic format.

Additionally, the Secretary of State must have a notice published in the official state newspaper identifying each Act including its date of publication and how a copy of the Act may be obtained. This newspaper notice must be printed within ten days of the date of publication (as designated by the Secretary of State) of the Act.

Finally, under current law, every act that doesn't prescribe a specific effective date becomes effective on the day after the date of publication (as designated by the Secretary of State).

"In God We Trust"

Senate Bill 2 streamlines this process by providing that the date of publication of each Act is the day after the date of enactment (signed by the Governor or enacted by veto override). The bill specifically directs the LRB to publish each Act on that date. Senate Bill 2 also dictates that each Act will become effective on the day after its date of publication by LRB, unless the Act's provisions contain a specific effective date.

This legislation eliminates the duplicative bureaucratic role served by both the Secretary of State and the LRB in terms of the legislative publication of each Act. The LRB is better situated to complete this one task in the entire process.

Unfortunately, the current law practice of allowing the Secretary of State to designate a publication date within a ten day window can be abused by that individual for partisan considerations. All laws should be treated the same in terms of the bureaucratic process of publication. Senate Bill 2 will insure fairness by directing the nonpartisan LRB to handle this key part of the process.

It should be noted that Senate Bill 2 still leaves the newspaper notification duties in the Secretary of State's Office and maintains the obligation to notify the public on the procedure to obtain a copy of any Act.