

**2015 DRAFTING REQUEST**

**Assembly Amendment (AA-AB80)**

Received: 3/12/2015 Received By: mduchek  
Wanted: As time permits Same as LRB:  
For: JoCasta Zamarripa (608) 267-7669 By/Representing: Mike  
May Contact: Drafter: mduchek  
Subject: Administrative Law Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: Rep.Zamarripa@legis.wisconsin.gov  
Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Allow standing committees to get rules under expedited process

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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>
/?	mduchek 3/12/2015	csicilia 3/13/2015	rschluet 3/13/2015	_____			
/P1	mduchek 3/13/2015	csicilia 3/13/2015	jfrantze 3/13/2015	_____	mbarman 3/13/2015		
/1				_____	sbasford 3/13/2015	sbasford 3/13/2015	

FE Sent For:

<END>

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pi gjs 3/13/15  
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3/13/15

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<END>



In 3-12 (NOON)  
State of Wisconsin  
2015 - 2016 LEGISLATURE

By Fri 3-13 12pm

LRBa0236/P1  
MED:.....  
g's

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION  
ASSEMBLY AMENDMENT,  
TO ASSEMBLY BILL 80**

D-note

Bill wish  
x-ref

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 4, line 16: after rule." insert "The legislative council staff shall also
- 3 submit a copy of the petition, proposed rule, and report to the chief clerk of each house
- 4 of the legislature."
- 5 **2.** Page 4, line 16: after that line insert:
- 6 "2c. The presiding officer of each house of the legislature shall, within 10
- 7 working days following the day on which a copy of a petition and proposed rule are
- 8 received under subd. 2., direct the appropriate chief clerk to refer the petition and
- 9 proposed rule to one standing committee for review. Subject to subd. 2g., the
- 10 committee review period for each committee extends for 30 days after referral of the
- 11 petition and proposed rule to the committee under this subdivision. If the
- 12 chairperson or the cochairpersons of a committee take any of the following actions

1 within the 30-day period, the committee review period for that committee is  
2 continued for 30 days from the date on which the first 30-day review period would  
3 have expired: ~~...~~

4 a. Request in writing that the agency meet with the committee to review the *stet*  
5 petition and proposed rule.

6 b. Publish or post notice that the committee will hold a meeting or hearing to *STET*  
7 review the petition and proposed rule and immediately send a copy of the notice to *STET*  
8 the agency.

9 2g. A standing committee may waive review of a petition and proposed rule  
10 under subd. 2c. prior to the expiration of the committee review period by adopting,  
11 by a majority vote of a quorum of the committee, a motion waiving that review.

12 2m. A standing committee, by a majority vote of a quorum of the committee  
13 during the applicable review period under subd. 2c., may do any of the following with  
14 respect to the petition and proposed rule:

15 a. Recommend that the agency's petition be approved, if the committee  
16 determines that the proposed rule would repeal an unauthorized rule.

17 b. Recommend that the agency's petition be denied.

18 c. Recommend that the agency make changes to the proposed rule and resubmit  
19 the petition and proposed rule under subd. 1.

20 2r. A standing committee's review of a petition and proposed rule is concluded  
21 when the committee makes a recommendation with regard to the petition and  
22 proposed rule under subd. 2m., when the committee waives its review of the petition  
23 and proposed rule, or when the committee review period ends, whichever occurs first.

24 The committee shall inform the joint committee for review of administrative rules

*under subd. 2g.*

1 and the agency in writing of any recommendation with regard to the petition and  
2 proposed rule.”.

3 **3.** Page 4, line 17: delete the material beginning with “Following” and ending  
4 with “subd. 2.,” on line 18 and substitute “Following the conclusion of both standing  
5 committee review periods under subd. 2r.”.

6 **4.** Page 4, line 19: after “rule” insert “and any recommendation of a standing  
7 committee under subd. 2m.”.

8 **5.** Page 5, line 1: delete “The committee” and substitute “The joint committee  
9 for review of administrative rules”.

10 (END)

d-note

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

LRBa0236/P1dn

MED:/:....

g's

- Date -

This amendment also requires a copy of a petition and proposed rule submitted by an agency under the expedited process to be referred by the Legislative Council Staff to one standing committee in each house for review. Each standing committee would have 30 days, subject to a possible 30-day extension or a waiver, to review the proposed rule and make a recommendation. Similar to the current process, JCRAR would have the authority to take any final action on the petition. Does this satisfy the intent?

Michael Duchek  
Legislative Attorney  
(608) 266-0130  
michael.duchek@legis.wisconsin.gov

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

LRBa0236/P1dn  
MED:cjs:rs

March 13, 2015

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(TODAY)  
State of Wisconsin  
2015 - 2016 LEGISLATURE

LRBa0236/P1  
MED:cjs:rs  
Stays

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**ASSEMBLY AMENDMENT ,**  
**TO ASSEMBLY BILL 80**

*Balminish*

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