2015 DRAFTING REQUEST

Assembly Amendment (AA-AB80)

Receiv	ved: 3	3/12/201	5		•	Received By:	mduchek	
Wante	ed: A	As time]	permits			Same as LRB:		
For:	J	JoCasta	Zamarripa	(608) 267-766	69	By/Representing:	Mike	
May C	Contact:					Drafter:	mduchek	
Subjec	Subject: Administrative Law				Addl. Drafters:			
						Extra Copies:		
Reque	it via ema ester's ema n copy (C	ail:	YES Rep.Z	amarripa@le	egis.wiscoi	ısin.gov		
Pre To	opic: ecific pre	topic giv	ven					
Topic		•			1. 1	× .		
Allow	standing	commit	tees to get ru	les under expe	edited proc	ess		
Instru	ictions:						,	
See at	tached					*		
Draft	ing Histo	ry:						· · ·
Vers.	Drafted		Reviewed	<u>Typed</u>	Proofed	Submitted	<u>Jacketed</u>	Required
/?	mduche 3/12/20		csicilia 3/13/2015	rschluet 3/13/2015		- -		
/P1	mduche 3/13/20		csicilia 3/13/2015	jfrantze 3/13/2015		mbarman 3/13/2015		
/1						sbasford 3/13/2015	sbasford 3/13/2015	
FE Se	ent For:							

2015 DRAFTING REQUEST

Assembly Amendment (AA-AB80)

Receiv	ed: 3/12	2/2015		Re	ceived By:	mduchek	
Wanted	d: As t	ime permits		Sa	me as LRB:		
For:	JoC	asta Zamarripa	(608) 267-766	9 By	/Representing:	Mike	
May C	ontact:			Dr	after:	mduchek	
Subjec	t: Adr	ninistrative Law		Ad	ldl. Drafters:		
c				Ex	tra Copies:		
Reques	t via email: ster's email: a copy (CC)		amarripa@le	gis.wisconsii	ı.gov		
Pre To							
No spe	cific pre top	ic given			1		
Topic:					,		
Allow	standing co	mmittees to get ru	les under expe	edited process			
Instru	ctions:	•					
See att	ached						
Drafti	ng History:						
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 3/12/2015	csicilia 3/13/2015	rschluet 3/13/2015				
/P1		1 ys 3/15	3 %	3/13	mbarman 3/13/2015		
FE Sea	nt For:						

<**END**>

2015 DRAFTING REQUEST

Assembly A	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:				
Requester's en Carbon copy	Submit via email: Requester's email: Carbon copy (CC) to: YES Rep.Zamarripa@legis.wisconsin.gov					
Pre Topic:	uo tomio pieron					
	re topic given					
Topic: Allow standing	ng committees to get rules under expedi	ited process				
Instructions	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,					
See attached			•			
Drafting His	tory:	•				
Vers. Drafte	. 7	Proofed Submitted	<u>Jacketed</u> <u>Required</u>			
/? mducl 3/12/2	hek $p_{1} = \frac{3}{15}$					
FE Sent For:	n n					
	<end></end>					



State of Misconsin 2015 - 2016 LEGISLATURE

By FRI 3-13 12 pm

LRBa0236/2 P/ MED:\.....

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION ASSEMBLY AMENDMENT,

TO ASSEMBLY BILL 80



D. Mish

1

 $\mathbf{2}$

3

4

5

6

7

8

9

10

11

12

At the locations indicated, amend the bill as follows:

- 1. Page 4, line 16: after rule." insert "The legislative council staff shall also submit a copy of the petition, proposed rule, and report to the chief clerk of each house of the legislature.".
 - 2. Page 4, line 16: after that line insert:

"2c. The presiding officer of each house of the legislature shall, within 10 working days following the day on which a copy of a petition and proposed rule are received under subd. 2., direct the appropriate chief clerk to refer the petition and proposed rule to one standing committee for review. Subject to subd. 2g., the committee review period for each committee extends for 30 days after referral of the petition and proposed rule to the committee under this subdivision. If the chairperson or the cochairpersons of a committee take any of the following actions

(7)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

o."	
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
5	petition and proposed rule.
6	b. Publish or post notice that the committee will hold a meeting or hearing to

STET

stell

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

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

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

- a. Recommend that the agency's petition be approved, if the committee determines that the proposed rule would repeal an unauthorized rule.
 - b. Recommend that the agency's petition be denied.
- c. Recommend that the agency make changes to the proposed rule and resubmit the petition and proposed rule under subd. 1.
- 2r. A standing committee's review of a petition and proposed rule is concluded when the committee makes a recommendation with regard to the petition and proposed rule under subd. 2m., when the committee waives its review of the petition and proposed rule, or when the committee review period ends, whichever occurs first. The committee shall inform the joint committee for review of administrative rules

— under subd. 2g.

10

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".

(END)

()- note

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa0236/P1dn MED:./.:...

-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 exention 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

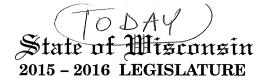
LRBa0236/P1dn MED:cjs:rs

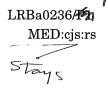
March 13, 2015

This amendment requires a copy of a petition and proposed rule submitted by an agency under the expedited process to also be referred 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







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

bulmi str

At the locations indicated, amend the bill as follows:

- 1. Page 4, line 16: after rule." insert "The legislative council staff shall also submit a copy of the petition, proposed rule, and report to the chief clerk of each house of the legislature.".
 - **2.** Page 4, line 16: after that line insert:

"2c. The presiding officer of each house of the legislature shall, within 10 working days following the day on which a copy of a petition and proposed rule are received under subd. 2., direct the appropriate chief clerk to refer the petition and proposed rule to one standing committee for review. Subject to subd. 2g., the committee review period for each committee extends for 30 days after referral of the petition and proposed rule to the committee under this subdivision. If the chairperson or the cochairpersons of a committee take any of the following actions

- within the 30-day period, the committee review period for that committee is continued for 30 days from the date on which the first 30-day review period would have expired:
 - a. Request in writing that the agency meet with the committee to review the petition and proposed rule.
 - b. Publish or post notice that the committee will hold a meeting or hearing to review the petition and proposed rule and immediately send a copy of the notice to the agency.
 - 2g. A standing committee may waive review of a petition and proposed rule under subd. 2c. prior to the expiration of the committee review period by adopting, by a majority vote of a quorum of the committee, a motion waiving that review.
 - 2m. A standing committee, by a majority vote of a quorum of the committee during the applicable review period under subd. 2c., may do any of the following with respect to the petition and proposed rule:
 - a. Recommend that the agency's petition be approved, if the committee determines that the proposed rule would repeal an unauthorized rule.
 - b. Recommend that the agency's petition be denied.
 - c. Recommend that the agency make changes to the proposed rule and resubmit the petition and proposed rule under subd. 1.
 - 2r. A standing committee's review of a petition and proposed rule is concluded when the committee makes a recommendation with regard to the petition and proposed rule under subd. 2m., when the committee waives its review of the petition and proposed rule under subd. 2g., or when the committee review period ends, whichever occurs first. The committee shall inform the joint committee for review

- of administrative rules and the agency in writing of any recommendation with regard to the petition and proposed rule.".
 - **3.** Page 4, line 17: delete the material beginning with "Following" and ending with "subd. 2.," on line 18 and substitute "Following the conclusion of both standing committee review periods under subd. 2r.,".
 - **4.** Page 4, line 19: after "rule" insert "and any recommendation of a standing committee under subd. 2m.".
 - **5.** Page 5, line 1: delete "The committee" and substitute "The joint committee for review of administrative rules".

10

3

4

5

6

7

8

9

(END)