

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3358/P1dn
PJK:kjf

September 28, 2015

The cleanest initial applicability for this bill would be “first applies to bills and amendments that are introduced (or jacketed) on the effective date.” (In fact, if the initial applicability were to bills and amendments that are jacketed on the effective date, that initial applicability could apply to the entire bill.) There are logical problems with the other alternatives, including the one now in the bill, which is “first applies to bills or amendments that are in a committee on the effective date. Under the bill, the report must be made available before any vote is taken by a committee, but only if no public hearing has been held. What is required if, on the effective date, a bill or amendment is in a committee and a public hearing has been held but no votes have been taken (which happens often when executive sessions are held at a later date)? Construing the language strictly, I don’t know if a report would be required or not because a public hearing has been held.

Let me know if you want to make any changes to the initial applicability provision or anything else in the draft.

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