

2017 DRAFTING REQUEST

Bill

For: Fred Risser (608) 266-1627

Drafter: agary

By: Terry

Secondary Drafters:

Date: 11/9/2017

May Contact:

Same as LRB: -2678



Submit via email: YES  
Requester's email: Sen.Risser@legis.wisconsin.gov  
Carbon copy (CC) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Wisconsin Commission on Uniform State Laws

Instructions:

Companion to LRB-2678

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 11/9/2017	kfollett 11/9/2017			
/1			dwalker 11/9/2017	dwalker 11/10/2017	

FE Sent For:

<END>

Hand-drawn arrow pointing to the text "Not Needed".



State of Wisconsin  
2017 - 2018 LEGISLATURE

Today

- 4824/1  
LRB-2678/1  
ARG:ahe

in 4/9  
**2017 BILL**

companion - no changes  
(- 2678/1 edited today)

1 **AN ACT to repeal** 13.55 (5); **to renumber and amend** 13.55 (1) (b); **to amend**  
2 13.55 (1) (a) 1. (intro.), 13.55 (1) (a) 2., 13.55 (2), 13.55 (3) (intro.) and 20.765 (3)  
3 (fa); and **to create** 13.55 (1) (a) 1. f., 13.55 (1) (b) 3. and 13.55 (1) (c) of the  
4 statutes; **relating to:** the Wisconsin Commission on Uniform State Laws.

---

***Analysis by the Legislative Reference Bureau***

This bill makes changes relating to the Wisconsin Commission on Uniform State Laws (commission).

Under current law, the commission, which is responsible for advising the legislature regarding uniform laws and model laws, consists of the following eight members: 1) the director of the Legislative Council Staff or his or her designee; 2) the chief of the Legislative Reference Bureau or his or her designee; 3) two senators and two representatives to the assembly from the two major political parties, appointed as are members of standing committees for two-year terms; and 4) two public members appointed by the governor for four-year terms. Regarding the legislative members identified in item 3, above, if a legislative appointment cannot be made because there is no senator or representative who is a member of the state bar association willing or able to serve on the commission, a former senator or representative who served on the commission while a senator or representative and who is a member of the state bar association may be appointed, as long as the national Uniform Law Commission (ULC) requires state delegates to be members of their state's bar association.

**BILL**

This bill makes the following changes related to the membership of the commission. First, the bill allows the legislature to appoint as a member of the commission any member of the state bar association if there is no senator or former senator, or representative or former representative, respectively, who meets the eligibility criteria and is able and willing to serve. Second, the bill allows the eight existing commission members to appoint as additional commission members persons who are life members of the ULC. These additional members have voting rights but are not counted in determining whether there is a quorum of the commission.

Under current law, the terms of commission members appointed by the governor and legislature must expire on May 1 of an odd-numbered year. Under this bill, the terms of members appointed by the legislature expire as do other appointments to standing committees, which is at the end of the legislative biennium in which the appointment is made.

Under current law, members of the commission must individually and collectively endeavor to secure the right of any person to become a voting commissioner or associate member of the ULC without regard to his or her membership in the state bar association. The commission was required to report twice after January 1, 1981, on these endeavors and provide an assessment of their probability of success. This bill repeals these requirements.

The bill eliminates a provision allowing the director of the Legislative Council Staff or the chief of the Legislative Reference Bureau, or the designee of either, to designate an employee to represent him or her at the ULC annual meeting, but continues to allow the director or chief to designate an employee to serve as a member of the commission.

---

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

1           **SECTION 1.** 13.55 (1) (a) 1. (intro.) of the statutes is amended to read:

2           13.55 (1) (a) 1. (intro.) There is created ~~an 8-member~~ a commission on uniform  
3 state laws to advise the legislature with regard to uniform laws and model laws.  
4 Except as provided under par. (b), the commission shall consist of all of the following:

5           **SECTION 2.** 13.55 (1) (a) 1. f. of the statutes is created to read:

6           13.55 (1) (a) 1. f. Members having the status of life members of the national  
7 Uniform Law Commission as delegates of this state, appointed by the commission  
8 members specified in subd. 1. a. to e., for 4-year terms.

9           **SECTION 3.** 13.55 (1) (a) 2. of the statutes is amended to read:

**BILL**

1           13.55 (1) (a) 2. The terms of members appointed by ~~the governor or by the~~  
2     legislature under subd. 1. e. or f. shall expire on May 1 of an odd-numbered year.  
3     ~~The members, other than the appointees of the governor or of the legislature, may~~  
4     ~~each designate an employee to represent them at any meeting of the conference~~  
5     ~~under sub. (3).~~

6           **SECTION 4.** 13.55 (1) (b) of the statutes is renumbered 13.55 (1) (b) 1. and  
7     amended to read:

8           13.55 (1) (b) 1. Except as otherwise provided in ~~this paragraph~~ subds. 2. and  
9     3., only senators and representatives to the assembly who are members of the bar  
10    association of this state may be appointed to seats designated for the offices of  
11    senator and representative to the assembly under par. (a).

12          2. A seat designated for ~~one of these offices~~ the office of senator or  
13    representative to the assembly under par. (a) that cannot be filled because of ~~this the~~  
14    requirement under subd. 1., or because a senator or representative to the assembly  
15    is unwilling or unable to serve on the delegation, may be filled by a former senator  
16    or representative to the assembly from the applicable political party who served on  
17    the commission during his or her term as a senator or representative to the assembly  
18    and who is a member of the bar association of this state. ~~The~~

19          4. A former senator or representative to the assembly or other person may be  
20    appointed as provided in subd. 2. or 3. as are members of standing committees and  
21    shall serve for a 2-year term as provided under par. (a).

22          5. This paragraph does not apply if the ~~National Conference of Commissioners~~  
23    ~~on Uniform State Laws~~ national Uniform Law Commission permits individuals to  
24    become voting commissioners or associate members of the ~~National Conference of~~

**BILL****SECTION 4**

1 ~~Commissioners on Uniform State Laws~~ national Uniform Law Commission without  
2 regard to membership in the bar of the state that the individual represents.

3 **SECTION 5.** 13.55 (1) (b) 3. of the statutes is created to read:

4 13.55 (1) (b) 3. A seat designated for the office of senator or representative to  
5 the assembly under par. (a) that cannot be filled as provided in subd. 1. or 2. because  
6 there is no individual meeting the described eligibility criteria who is able or willing  
7 to serve on the delegation may be filled by any member of the bar association of this  
8 state.

9 **SECTION 6.** 13.55 (1) (c) of the statutes is created to read:

10 13.55 (1) (c) Except as provided in sub. (2), members of the commission  
11 appointed under par. (a) 1. f. shall have the same rights and responsibilities as all  
12 other members, including voting rights.

13 **SECTION 7.** 13.55 (2) of the statutes is amended to read:

14 13.55 (2) **QUORUM; SCHEDULED MEETINGS.** Any 5 members of the commission  
15 shall constitute a quorum. For purposes of determining whether a quorum exists,  
16 members appointed under sub. (1) (a) 1. f. may not be counted. The commission shall  
17 meet at least once every 2 years.

18 **SECTION 8.** 13.55 (3) (intro.) of the statutes is amended to read:

19 13.55 (3) **NATIONAL CONFERENCE.** (intro.) Each commissioner may attend the  
20 annual meeting of the ~~National Conference of Commissioners on Uniform State~~  
21 ~~Laws~~ national Uniform Law Commission and shall do all of the following:

22 **SECTION 9.** 13.55 (5) of the statutes is repealed.

23 **SECTION 10.** 20.765 (3) (fa) of the statutes is amended to read:

24 20.765 (3) (fa) *Membership in national associations.* A sum sufficient to be  
25 disbursed under s. 13.90 (4) for payment of the annual fees entitling the legislature

**BILL**

1 to membership in national organizations including, without limitation because of  
2 enumeration, the National Conference of State Legislatures, the National  
3 ~~Conference of Commissioners on Uniform State Laws~~ national Uniform Law  
4 Commission, and the National Committee on Uniform Traffic Laws and Ordinances.

5

(END)

**Walker, Dan**

---

**From:** Tuschen, Terry  
**Sent:** Friday, November 10, 2017 9:22 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -4824/1

Please Jacket LRB -4824/1 for the SENATE.