AN ACT to repeal 13.55 (5); to renumber and amend 13.55 (1) (b); to amend 13.55 (1) (a) 1. (intro.), 13.55 (1) (a) 2., 13.55 (2), 13.55 (3) (intro.) and 20.765 (3) (fa); and to create 13.55 (1) (a) 1. f., 13.55 (1) (b) 3. and 13.55 (1) (c) of the 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.
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:

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

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

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

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

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

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

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

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

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

5. This paragraph does not apply if the National Conference of Commissioners on Uniform State Laws national Uniform Law Commission permits individuals to become voting commissioners or associate members of the National Conference of
Commissioners on Uniform State Laws national Uniform Law Commission without
regard to membership in the bar of the state that the individual represents.

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

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

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

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

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

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

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

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

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

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

20.765 (3) (fa) Membership in national associations. A sum sufficient to be
disbursed under s. 13.90 (4) for payment of the annual fees entitling the legislature
to membership in national organizations including, without limitation because of
enumeration, the National Conference of State Legislatures, the National
Conference of Commissioners on Uniform State Laws, national Uniform Law
Commission, and the National Committee on Uniform Traffic Laws and Ordinances.

(END)