

No. 643, S.]

[Published June 30, 1953.

CHAPTER 331

AN ACT to repeal and recreate 227.03; and to create 20.015 (3), 227.001 and 227.031 of the statutes, relating to rule-making powers of administrative agencies and making an appropriation.

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

SECTION 1. 20.015 (3) of the statutes is created to read:

20.015 (3) There is appropriated from the general fund annually for the years beginning July 1, 1953, and July 1, 1954, \$12,500 to the joint legislative council for the conduct of a study of problems relating to the rule-making powers and activities of administrative agencies and the preparation of a report thereon. The unincumbered balance on June 30, 1954, shall be nonlapsible until June 30, 1955. Payments from this appropriation for reimbursement of expenses, compensation for services and purchase of materials and supplies shall be made by voucher signed by the chairman or secretary of the council.

SECTION 2. 227.001 of the statutes is created to read:

227.001 ADMINISTRATIVE RULES COMMITTEE CREATED. (1) There is created a joint special legislative committee consisting of 3 senators and 5 assemblymen to be appointed as are standing committees in the respective houses. The committee shall make a study of problems relating to the rule-making powers and activities of administrative agencies, including the feasibility of placing limitations on the rule-making powers of administrative agencies and of establishing a more uniform procedure for administrative rule making. The committee shall make its report and recommendations to the legislative council by September 1, 1954, and the council shall transmit such report and recommendations to the legislature by the opening of the 1955 session.

(2) The committee is authorized to meet and hold such hearings as it may deem desirable and to take testimony and subpoena witnesses; the provisions of s. 13.35 relating to the summoning and compelling the attendance of witnesses shall apply also to the committee created by this section.

(3) The administrative and research functions of the committee shall be performed by the legislative council staff.

(4) Members of the committee shall receive no compensation for their services, but shall be reimbursed for their actual and necessary expenses incurred in carrying out their duties.

(5) The committee created by joint resolution No. 7, S., of the 1953 session is relieved of its duties, and its records shall be turned over to the committee created by this section and shall be filed in the office of the legislative council.

SECTION 3. 227.03 of the statutes is repealed and recreated to read:

227.03 PUBLICATION, EFFECTIVE DATE AND FILING OF RULES. (1) Unless publication is otherwise required by statute, each agency shall publish all rules adopted by it at least once in the official state paper.

(2) Unless a different time is otherwise provided by statute, or unless rules become effective without publication on the happening of some act not within the control of the agency, rules shall become effective on the day after publication; but the rule may itself provide that it shall become effective on a later date.

(3) Each agency shall at the time of publication file with the secretary of state, the revisor of statutes, and the legislative council a certified copy of each rule adopted by it. The secretary of state and revisor of statutes shall each keep a permanent file of such rules. If the agency fails to file as herein required any rule promulgated on or after July 1, 1953, such rule is void until such time as the filing requirements have been complied with.

SECTION 4. 227.031 of the statutes is created to read:

227.031 LEGISLATIVE REVIEW OF RULES. The legislature may at any time by joint resolution disapprove any rule then in effect. Disapproval is effective only when the joint resolution has been published in the same manner as required of the agency when it enacted the rule and has been filed in the manner prescribed by s. 227.03 for the filing of rules. When so disapproved, the rule is void as if the agency had repealed it. The legislature may indicate in the joint resolution what modifications would result in an acceptable rule.

SECTION 5. This act shall take effect July 1, 1953.

Approved June 26, 1953.
