

ASK THE LRB

State of Wisconsin
Legislative Reference Bureau
Informational Bulletin 97-2, February 1997

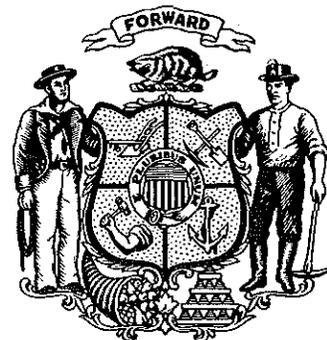


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ASK THE LRB

LRB General Office Hours

7:45 a.m. to 5:30 p.m. (on days when either house of the legislature holds a floor session)

7:45 a.m. to 4:30 p.m. (on days when there is no floor session)

The LRB remains open during the noon hour.

Come In or Call

Main entrance – 100 North Hamilton; Receptionist – 2nd floor.

Research and Reference – 2nd Floor. Telephone: (608) 266-0341. Fax (608) 266-5648.

Dr. H. Rupert Theobald Legislative Library – 1st Floor. Telephone: (608) 267-0713.

Bill Drafting and Draft Pick-Up – 5th Floor. Telephone: (608) 266-3561. Fax (608) 264-8522.

I. INTRODUCING THE LEGISLATIVE REFERENCE BUREAU

The Legislative Reference Bureau (LRB) was created in 1901 as a nonpartisan service agency of the Wisconsin Legislature, and it served as the model for similar offices in other states, as well as the Congressional Research Office in the Library of Congress. It was the first legislative office in the nation to provide a state legislature with drafting and research services, and these functions continue to be its primary focus. In addition, the LRB offers reference and library services to the public and acts as Wisconsin's primary source for information about the legislature, legislative process, and state government in general.

The LRB staff, headed by the bureau chief, includes 56 full-time permanent positions, all filled on the basis of merit under the classified civil service. The agency's work is divided into three major categories: legal services, staffed by attorneys; research and reference, staffed by research analysts; and the legislative reference library, staffed by librarians. (See Appendix for staff listings.) Central support staff provide personnel, editorial, and clerical services for the entire agency.

II. RESEARCH AND REFERENCE SERVICES

Section 13.92 (1) (a), Wisconsin Statutes, assigns the LRB responsibility for collecting information about government and making it available in the most suitable form to aid "legislators, other public officials, students of government and citizens generally". The law directs the LRB to use its materials to prepare studies and reports about subjects that are or may be

come items of concern to the legislature, government officials or the general public. LRB research analysts produce the biennial *Wisconsin Blue Book*, the almanac of Wisconsin government, in both CD-ROM and print format. They also maintain the LRB's Internet site and assist the legislature in publishing its Internet pages.

Assistance to Legislators. LRB research analysts assist legislators in a variety of ways. In addition to publishing informational bulletins and briefs on policy issues of interest to the legislature as a whole, they respond to the requests of individual lawmakers regarding background information, historical development, and current legislation. The analysts gather information for legislators from a variety of sources: materials in the LRB's extensive library collection, which specializes in information about government activity in all 50 states and related federal agencies; LEGISNET, the automated clearinghouse of research information maintained by the National Conference of State Legislatures; the LEXIS-NEXIS database, which includes a national cross-section of periodicals and publications; and worldwide resources available on the Internet. They also have access to laws and legislation pending in other states related to the requester's topic.

Each month, research analysts provide dozens of immediate responses to legislative offices, based on readily available library sources or expertise developed through past research. They also help legislators and their staff use the LRB library to do their own research. Analysts can compile information to help legislators or staff answer constituent letters, or they may answer the constituents directly at the legislator's request.

By law, all requests from legislators to research analysts must be handled in a nonpartisan, confidential manner, and the analysts must "perform reference services for all members of the legislature equally and impartially".

Informational Reports. State law requires the LRB to prepare informational reports "regarding subjects which are or may become items of concern to the legislature, other public officials or the public generally". Some studies are prepared at the suggestion of individual legislators, legislative interim committees or administrative agencies. Other topics are chosen by the LRB staff. These publications fall into three categories: *Wisconsin Briefs* – relatively concise summaries about subjects of high immediate interest; *Informational Bulletins* – comprehensive reports, normally dependent on secondary sources; and *Research Bulletins* – major studies of problems pertinent to Wisconsin state government. Recent examples of these publications are listed on the back cover of this bulletin.

Wisconsin Blue Book. Another function of the LRB research analysts is to prepare the *Wisconsin Blue Book*, the 1,000-page biennial almanac of Wisconsin government. This unique resource, which is published in the fall of odd-numbered years, constitutes a major part of the

state's effort to keep its citizens, both students and adults, informed about Wisconsin and its government.

The *Blue Book* provides biographies and pictures of elected state officials in the legislative, executive and judicial branches, as well as Wisconsin members of the U.S. Congress. It also contains the Wisconsin Constitution and in-depth descriptions of the organization, responsibilities, and history of each state agency. In addition, the *Blue Book* offers approximately 200 pages of basic statistical information about a wide range of state topics, such as population, school enrollment, agriculture, industry, elections, local government, social services, and state finance. Each edition includes a feature article on a subject of general interest to Wisconsin readers. The LRB strives to keep the *Blue Book* a useful and up-to-date resource, and it welcomes readers' suggestions and comments.

To benefit a wider audience, the *Blue Book* will be produced in a CD-ROM version, beginning with the 1995-1996 *Blue Book*, and it will be made available on the Internet. The LRB also publishes a study guide for elementary and secondary schools to supplement each edition of the *Blue Book*. This guide is available through the LRB and individual legislative offices.

Each state legislator receives a specified number of complimentary copies of the *Blue Book* for free distribution and, by law, copies of the *Blue Book* are sent to all public and private schools in Wisconsin, as well as to public libraries and government officials. Public distribution of the *Blue Book* is handled by Document Sales, Department of Administration, P.O. Box 7840, Madison, Wisconsin 53707.

LRB on the Internet. The LRB maintains its own home page on the Internet, linked to the Wisconsin Legislature's site at <http://www.state.wi.us/agencies/wilis/lrb/index.html>. The LRB page describes the bureau's services and contains links to recent LRB publications, which are offered as pdf (portable document format) documents. Through use of pdf, the pages shown on the screen replicate the printed pages, thereby permitting students, libraries and others to download copies identical to the printed versions with pagination intact. The bureau expects to provide access to a pdf version of the 1997-98 *Wisconsin Blue Book*. The public can use e-mail to contact the LRB through its Internet page with requests for information about Wisconsin and the activities of the legislature.

Services for All Patrons. Although the principal mission of the LRB is to serve the Wisconsin Legislature, its reference services are available to other patrons, including public officials, students of government and the general public. The LRB devotes a major portion of its time to helping persons seeking information about a specific bill or Wisconsin government in general, but its assistance is limited to some extent by LRB resources and its current legislative workload.

Each day research analysts handle mail and telephone requests from the general public for information about Wisconsin state government, other state governments, and congressional matters. They also make periodic presentations to professional organizations, civic groups, and students to keep them updated on legislative process, LRB research services, and the LRB library collection.

Services for Attorneys and Legal Researchers. Attorneys often ask LRB research analysts for assistance in determining the legislative intent of particular sections of the Wisconsin Statutes. Although research analysts are not permitted to interpret the law and cannot engage in extensive research on private requests, the bureau does have various records that attorneys may find helpful. Attorneys are welcome to visit the LRB and become acquainted with the resources available to assist them in researching the legislative history of statutes. The LRB also offers training sessions for attorneys, law clerks, and law librarians on the basic elements of legislative bibliography and process.

The LRB has a number of resources that are useful to attorneys and others conducting legal research:

- Bill drafting records (described in detail below).
- Listings of a bill's authors and its procedural history.
- Copies of bills and amendments from the current or past sessions.
- Reports by the Legislative Council, Judicial Council, and governors' task forces relating to legislation introduced at the request of these bodies, sometimes in the form of notes to sections of the bill.
- Meeting minutes for Legislative Council committees and the Judicial Council.
- Names of persons appearing or registering at legislative committee hearings since 1953.
- Newspaper clippings related to the subject matter of the bill.

Some types of information that patrons request simply do not exist:

- Floor debates on bills before the Wisconsin Legislature are not recorded in either verbatim or summary form.
- Oral testimony at hearings before legislative committees of the Wisconsin Legislature is not recorded in either verbatim or summary form. (However, records of names of persons testifying for or against a bill are available.)
- Committee reports to the legislature normally include only a brief procedural record of action taken on bills and the vote of committee members. Committee discussion is not reported.
- Drafting records are not available for legislation considered before 1927.

Bill Drafting Records. Although drafting records are not intended to provide a statement of the legislature's intent in enacting a particular law, they sometimes contain useful background information about the source or purpose of a draft. The record is primarily a compilation of all the documents related to the drafting of a bill or resolution. As legislative attorneys prepare bill drafts, they keep records reflecting each step of the process. Once a proposal is introduced, its drafting record is open to public inspection. The LRB has a complete set of all such records since 1927 on microfiche. It also maintains the original copies of drafting materials for bills introduced and acts passed in the past three legislative sessions.

Contents of drafting files vary. Some files have only minimal information. Others may contain correspondence suggesting the purposes of a proposal, notes about the nature of the drafting request, copies of earlier bills that were used as models for the final version, records of the sponsoring group or individuals, and clues about who requested the legislation or the objective in proposing the measure.

Drafting records do not circulate outside the LRB offices, but persons conducting legal research may inspect and copy these materials in the LRB reading room. Several major libraries also have complete copies of drafting records on microfiche: Marquette University Law Library, Milwaukee Public Library, the State Law Library (Madison), the State Historical Society of Wisconsin (Madison), and the University of Wisconsin-Madison Law Library. LRB research analysts occasionally will prepare summaries describing the contents of specific drafting records for persons who do not have access to these locations.

Copies of the microfiche of drafting records or photocopies from the microfiche are available from the LRB. Contact the bureau for the cost of a particular record and specify the year and the number of the bill or act. Prior to the 1983 legislative session, new laws enacted by the legislature were called "chapters" and numbered in order of enactment. Since January 1983, the term "Wisconsin Act" has replaced "chapter". Drafting records of bills enacted into law are filed by their respective chapter or act numbers. Records of bills not enacted are filed by house of origin and bill number.

Persons who wish information from a drafting record must cite the statutory section and the session law that made the change in the statutory language. (If it is not possible to find the session law, the patron can help the research staff by indicating the statutory sentence or phrase being researched and the approximate date the language was changed.) The researcher should briefly state the question to be answered or explain the problem, so the research analyst can determine which materials in the drafting record are relevant.

Voting Records of Legislators. In response to a specific request for a vote on a bill, the LRB will provide a copy of the journal page on which a particular roll call vote appears. However, due to time and staff limitations, the LRB cannot supply the voting record of all legisla-

tors on a number of proposals or of a particular legislator on all measures. Similarly, it cannot fill broad requests for voting records on "all important measures" or "all measures relating to schools". The research staff will, however, assist patrons in using legislative documents to locate this information.

III. THE DR. H. RUPERT THEOBALD LEGISLATIVE LIBRARY

The Dr. H. Rupert Theobald Legislative Library, named in honor of the bureau's longest-serving chief, contains a wealth of information on public policy issues and constitutes the single most comprehensive source of information on Wisconsin legislation. Its holdings specialize in materials related to federal, state and local government and topics which may be of interest to Wisconsin's lawmakers. Although the library is organized primarily to meet the needs of the legislature, it is open to the general public.

The catalog of LRB library holdings is now available in electronic form via LRBCAT, the library's online public access catalog. LRBCAT benefits users in a number of ways. It offers increased access to the collection and a more up-to-date catalog. The online catalog is easy to use and its many search options allow for faster and more sophisticated searching of the collection. It is also possible to check the current loan status of an item in LRBCAT. All library users may access to the LRBCAT through specially programmed computers located in the second floor reading room and the Dr. H. Rupert Theobald Legislative Library on the first floor.

Circulating Collection. The circulating collection consists primarily of current research materials, augmented by some basic reference works and a small number of other books. It is cataloged in detail by subject and author. Most materials circulate for two weeks and loans may be renewed if necessary.

The collection's major subject areas include legislative procedure, state finance, economic development, education, state administrative organization, environmental concerns, local government finance, social services, agricultural conditions, health, crime, and transportation.

Clippings Collection. A unique aspect of the legislative library is its vast collection of newspaper and periodical clippings related to legislation and public administration, with special emphasis on Wisconsin. The clippings provide current information that is often not available elsewhere. This collection grows by about 20,000 new items per year and is classified by subject, which makes it easier to access than newspaper holdings in general libraries. The clippings files do not circulate, but they can be photocopied.

Reference Collection. The noncirculating reference collection, housed in the second floor reference room, includes the Wisconsin Statutes, session laws, legislative journals and indices, Supreme Court reports and Attorney General opinions (some of which date back to Wisconsin).

sin's days as a territory) and all bills introduced in the legislature since 1897. Other reference sources include: the *Wisconsin Administrative Code*, the *U.S. Code*, U.S. census publications, the *Congressional Record*, and a small number of other common government references such as the *Book of the States*, the *U.S. Government Manual*, *Statistical Abstract of the United States*, the *Congressional Quarterly Weekly Report*, and the *State Tax Guide*. General encyclopedias, dictionaries and almanacs are also available.

Wisconsin State Document Collection. The document collection consists of the drafting records of all legislation introduced in the Wisconsin Legislature since 1927 and one copy of each publication issued by a Wisconsin state government agency. Materials in the document collection do not circulate.

Copying Services. Because the clippings files, reference works, drafting records, and state documents do not circulate, the LRB provides a photocopier patrons may use at minimum cost to copy the materials they need. Microfiche readers are available for all bill drafting records and those portions of the clippings collection that have been microfiched. Copies of individual microfiche or photocopies made from the microfiche are available to LRB patrons at a reasonable charge, and mail requests are accepted and processed as quickly as workload permits. The LRB offers one free copy of any item on microfiche to Wisconsin state or municipal agencies or government agencies in other states.

Subject and Author Index. LRB librarians prepare the Index Section for the *Bulletin of Proceedings of the Wisconsin Legislature*, which provides a subject guide to all bills, joint resolutions and resolutions introduced during a legislative session. This cumulative index is issued every Tuesday morning during legislative floor periods and is updated at irregular intervals when the legislature is not in session. Legislative proposals are grouped under subject headings and under the names of primary authors and cosponsors. The Bulletin contains a journal index, a subject index to Wisconsin acts, and a list of legislative lobbyists. It also lists the statutory sections that are affected by bills introduced and those affected by laws enacted. Reference copies of the Index Section are available in the LRB reading room.

IV. LEGAL SERVICES

Drafting Requests. Section 13.92 (1) (b), Wisconsin Statutes, requires the LRB to prepare all legislative proposals and related amendments for introduction in the legislature. The legislative attorneys also prepare plain language analyses that are printed with all bills and most resolutions when they are introduced. The LRB is bound by law to provide nonpartisan, confidential service to legislators. No information about a bill draft or drafting request, including the existence of such a request, can be released until the measure has been introduced in the legislature (unless release is authorized by the bill's author).

The LRB is required by law to enroll the final text of all legislation that has passed both houses. It also engrosses (prints) the text of bills that have passed one house, if the chief clerk of that house requires a printing. In the case of the biennial budget bill with its thousands of sections, enrolling and engrossing may take many weeks.

The Drafting Process. The LRB handles approximately 14,000 drafting requests during a legislative session. More than 5,000 of them are requests for bills and, of these, about 1,800 are eventually introduced for consideration on the floor of the legislature. There are certain peak periods in which the bureau receives a particularly large number of drafting requests. For example, at the beginning of each biennial legislative session, both new and returning legislators want to start working on their legislative agendas. This is also the point in the session when the LRB must give high priority to drafting the executive budget bill.

Legislative attorneys may accept bill drafting requests from legislators (members and members-elect), legislative standing committees, the Legislative Council, the Legislative Fiscal Bureau, the Revisor of Statutes, independent interim committees of the legislature, state agencies, the Judicial Council, and the governor's special committees. The Cities of Madison and Milwaukee, the Counties of Dane and Milwaukee and certain local government associations, such as the League of Wisconsin Municipalities, the Wisconsin Counties Association and the Wisconsin Towns Association, also have drafting privileges. Others, including lobbyists, may use the LRB drafting services only upon the specific request of a legislator or standing committee.

Bills. The amount of time and effort required for drafting a particular proposal varies according to the scope of the proposal, the complexity of the legal problems involved, and the extent to which the statutes already treat the subject. If there are existing statutes that pertain to the subject, the legislative attorney may have to develop language to amend or repeal some of them. If no statute exists, it will be necessary to create one or more provisions that fit into the entire body of statutes. Any statutory change that the draft creates must conform with the state and federal constitutions, federal laws and regulations and pertinent court cases. Finally, the draft must take into account any common law principles upon which Wisconsin law is based.

When the initial draft is ready, the legislative attorney returns it to the bill's author, often with a drafter's note explaining problems or issues that require attention. The note may point out constitutional problems, substantive or technical matters, helpful background material or similar important information. The LRB attorney will redraft the proposal as many times as necessary to achieve the result the author desires. When the legislator decides that the bill is satisfactory, the LRB prepares the documents necessary to introduce the measure in the legislature.

Substitute and Simple Amendments. In addition to original bills, the LRB also prepares substitute amendments (complete alternate proposals) and simple amendments. Frequently, amendments become necessary or desirable after a proposal has been thoroughly aired at a public hearing. Although simple amendments can be offered from the floor without prior review by the LRB, the bureau urges legislators to request amendments in advance, if at all possible, so that an attorney can prepare each amendment in proper form before it is submitted to a vote.

Bill Analyses. All bills, as well as most joint resolutions and simple resolutions, include an analysis written by the legislative attorney who drafted the proposal, explaining the effect of the proposal in clear and concise language. The analysis must be factual, complete and impartial. Persons using the analysis printed with the bill to analyze the bill's contents are cautioned that the analysis relates to the bill at the time it was introduced. Amendments to the bill are not covered, so the final version of a bill could be very different from the original proposal.

Fiscal Estimates. Every bill that alters the fiscal liability or revenues of state or local government must carry a "fiscal estimate" – a reliable estimate of its fiscal effect. When the LRB drafts a proposal, the legislative attorney must make a tentative decision about whether the measure requires a fiscal estimate. If so, the author of the bill may ask the LRB to obtain a fiscal estimate *during the drafting stage*. Prior to introduction, the draft is sent through the Department of Administration to the agency or agencies that are responsible for the program or have the greatest knowledge of the subject to determine the projected revenues or costs. The department and the agency are not given information about the identity of the bill's author.

If the legislator approves the fiscal estimate when it is returned to the LRB, it can be printed with the finished bill draft at the time of introduction. If the author does not agree with the fiscal estimate, he or she can consult with the legislative attorney who drafted the proposal and decide whether to: 1) contact the agency that prepared the estimate and attempt to convince it that the estimate should be revised; 2) redraft the bill to change the fiscal effect; or 3) drop the proposal.

Sometimes it is useful to obtain the fiscal estimate while the bill is still in the drafting stage. Increased information on the proposal's fiscal effects may give the author an opportunity to improve the bill before introduction. In some cases, if the proposal is more costly than expected, the decision may be to scale it down or abandon it altogether.

The author may decide, however, not to obtain a fiscal estimate in the drafting stage. In that case, after its introduction, the proposal is automatically sent to the Department of Administration for a fiscal estimate. When the fiscal estimate is returned to the LRB, the author has five working days to review it. If a author disagrees with a fiscal estimate, the legislative

attorney can help decide what is the most appropriate action. If the author takes no action within the 5-day limit, the fiscal estimate is automatically printed and attached to the proposal.

Other Legal Services. When the legislature is in session, the LRB must give priority to previously assigned drafting work. However, if a legislator requests and time is available, legislative attorneys can attend committee hearings or meetings to offer impartial analyses of drafts or to explain legal matters pertinent to pending proposals. The attorneys may also meet with the legislator, the legislator's constituents or other interested persons to explain drafts and discuss possible redrafts or amendments.

In connection with their drafting duties, legislative attorneys also perform additional legal functions, including:

- Preparing summaries of new state laws and significant court decisions for publication by the LRB;
- Answering general legal questions from legislators and public officials;
- Assisting attorneys and others concerned with questions of legislative intent and statutory construction;
- Preparing legal memoranda and opinions at the request of public officials or public agencies;
- Engaging in public speaking or instruction on legislative functions and other subjects;
- Staffing conference committees and other ad hoc committees; and
- Aiding state agencies with legal writing and certain other legal services upon request.

To aid the LRB, legislative attorneys conduct research and write memoranda about methods of drafting and legal issues raised by particular types of proposals. They also maintain contact with administrators, legislators and other sources about implementation of new legislation in order to suggest improvements in the law.

V. HISTORY OF THE LEGISLATIVE REFERENCE BUREAU

In 1901, the Wisconsin Legislature enacted Chapter 168, which directed the Free Library Commission

to maintain in the state capitol, for the use and information of the legislature, the several state departments, and such other citizens as may desire to consult the same, a working library, as complete as may be, of the several public documents of this and other states; and to purchase for said library standard works of use and references.

Before that, the Historical Library and the State Library, both located in the capitol, had filled these needs. However, when the Historical Library moved to its new building on the university campus and the State Library changed from a general library to one specifically de-

signed to serve the Wisconsin Supreme Court, there was no resource center for materials related to the legislative process. The 1901 law provided one.

Governance. The Wisconsin Free Library Commission was the governing body of the Legislative Reference Library from 1901 until August 1, 1963. The commission's main functions in relation to the reference library were selection of the agency's chief under the classified service, annual review of the agency's work, and approval of its budget.

Chapter 149, Laws of 1963, renamed the Legislative Reference Library as the Legislative Reference Bureau and, on August 1, 1963, placed the LRB under the supervision of the Joint Committee on Legislative Organization (JCLO). JCLO consists of the Speaker of the Assembly, the President of the Senate, and the majority and minority leaders and assistant majority and minority leaders of both houses. The joint committee, acting as the policy-making body for the LRB and the other legislative service agencies, determines the types of tasks to be assigned to each. JCLO also selects the LRB chief under the classified service, considers and approves the agency's budget, and may adopt regulations for its operation.

Duties and Services. Since its inception, the Legislative Reference Library – now the Legislative Reference Bureau – has gradually increased its size and scope of activities. Creation of the Legislative Reference Library marked the first effort in the nation to provide professional staff assistance to a state legislature. Although New York had established a legislative reference library as a section of the state library in 1890, Wisconsin expanded the concept of service to the legislature by 1) collecting and making immediately available many kinds of informational material and 2) providing drafting and research assistance. This concept has proven successful. As a pioneer, it served as the primary model for similar agencies in other states, as well as the Legislative Reference Bureau (now the Congressional Research Service) of the Library of Congress.

Chapter 238, Laws of 1903, extended the bureau's duties by directing the Free Library Commission to maintain a legislative reference room in the capitol. Chapter 508, Laws of 1907, added a specific appropriation for bill drafting, although the bureau had performed this service from the beginning. Chapter 508 also instructed the LRB to index session laws, statutes, private and special laws, bills, and documents and journals from the beginning of the state's history.

Chapter 772, Laws of 1913, further enlarged the bureau's duties by authorizing it to "collect, summarize, and index information of a legislative nature relating to legislation of foreign countries, of states of this country, the federal government and municipalities." The library could also "make such investigation into statute law, [and] legislative and governmental institutions as will aid the legislature to perform its duties in the most efficient and economical manner."

The LRB expanded its bill drafting services in response to Chapter 554, Laws of 1965, which instructed the agency to enroll all measures passed by the legislature. Enrolling means preparing a text that incorporates all amendments agreed to by both houses before submitting the measure to the governor. Chapter 43, Laws of 1967, directed the LRB to prepare a "plain language" analysis of the original draft of each bill to be printed with the measure when it is introduced.

Editing the *Blue Book* became an LRB function with passage of Chapter 194, Laws of 1929, which directed the agency to prepare that publication biennially. The *Blue Book* was to contain "lists of senators and assemblymen" and "statistical and other information". The book was supposed to be useful for school civics classes, and its size was limited to 800 pages or less. That limit was increased to 900 pages in 1966 and the current 1,000 pages in 1971. Chapter 82, Laws of 1971, also changed the book's publication date from even-numbered to odd-numbered years.

Since its inception, the LRB has performed its duties on an impartial, nonpartisan, confidential basis. The legislature initially placed the agency under a nonpartisan commission and placed the staff in the classified service. Later, when the LRB was transferred to legislative supervision, its staff remained in the classified service. Charles McCarthy, the first director of the Legislative Reference Library, recognized at the outset that, to serve the legislature effectively, the agency must have protection from partisan or political pressures. In 1906, he advised officials of other states who wished to organize a similar service: "The department must be entirely non-political and non-partisan or else it will be worse than useless. If you have the choice between establishing a political department and no department at all, take the latter." (*Wisconsin Library Bulletin*, July-August 1906, p. 55)

VI. CHIEFS OF THE LEGISLATIVE REFERENCE BUREAU

Charles McCarthy, 1901-1921

Charles McCarthy, who created the agency now known as the Legislative Reference Bureau and served as its first chief, was born to Irish immigrant parents in Brockton, Massachusetts, on June 29, 1873. He achieved distinction as an All-American football player at Brown University, and later coached football at the University of Georgia for two seasons before attending the University of Wisconsin, where he earned a Ph.D. in political science in 1901.

In 1901, the Free Library Commission established a library for the legislature in the capitol and appointed McCarthy to fill the position of "document clerk" at a salary of \$83.33 per month.

An advocate of the progressive movement, McCarthy strongly supported "The Wisconsin Idea" that emphasized the debt of service the University of Wisconsin owed to the state and

its citizens. He also worked to develop vocational education, first in Wisconsin in 1911 and later through promoting the Smith-Hughes Act of 1917, which created federal aids for vocational schools.

Because of McCarthy's political activism, Governor Emanuel Philipp attempted to dismantle the bureau in 1915, but McCarthy successfully defended the mission of the LRB and later became a trusted advisor to Philipp. Later in his career, McCarthy served the federal government as the first director of the U.S. Commission on Industrial Relations and as a personal aide to Herbert Hoover in the Food Administration. An early exponent of farmers' cooperatives for purchasing and marketing, he influenced the system of state regulation of railroads and public utilities. He also urged municipal budget reform, the commission type of city government, and widening the state's educational opportunities through the University Extension program. He died in Prescott, Arizona, on March 25, 1921.

Edwin E. Witte, 1922-1933

The LRB's second chief was born on a farm near Watertown, Wisconsin, on January 4, 1887. In 1905, he entered the University of Wisconsin, where he majored in history and earned a Ph.D. in economics in 1927. After working as an aide to Congressman John M. Nelson and serving five years as secretary of the Wisconsin Industrial Commission, Witte served as chief of the Legislative Reference Library from 1922 to 1933.

In 1933, Witte returned to the University of Wisconsin as a professor of economics and in 1934 became executive director and research synthesizer for President Franklin D. Roosevelt's Committee on Economic Security. While working in this capacity, Witte drafted the federal Social Security Act of 1934-35. Previously, he had published a book in 1932, entitled *The Government in Labor Disputes*, and he made significant contributions to the drafting of the Norris-LaGuardia Anti-Injunction Act of 1932. In succeeding years, Witte served as a member of the President's Committee on Administrative Management, the War Labor Board, the Advisory Council for Employment Security, and the Atomic Energy Labor Relations Panel. In 1948, he organized and became the first president of the Industrial Relations Research Association. In 1955, he was elected president of the American Economic Association.

Witte chaired the Department of Economics at the University of Wisconsin from 1936 to 1941 and again from 1946 to 1957, and Witte Hall, a residence hall at the UW-Madison, was named in his honor. He died on May 20, 1960, in Madison.

Howard Ohm, 1933-1949

Born on September 9, 1891, in Spalding, Michigan, Howard Ohm attended elementary and high school in Milwaukee. He entered the University of Wisconsin at Madison in 1908 and received his law degree five years later.

While practicing law with the firm of Riley and Ohm, he specialized in legislative research, bill drafting, and law revision. He also served as counsel for a number of legislative interim committees and did legal work for the Board of Public Affairs. From 1927 to 1931, Ohm served as an examiner for the Workmen's Compensation Division of the Industrial Commission. In 1933, he was appointed chief of the Legislative Reference Library.

Ohm was the first president of the Legislative Service Conference and helped found and organize the Madison Chapter of the American Society for Public Administration. He died on October 5, 1949, in Madison.

Marinus G. Toepel, 1950-1963

The LRB's fourth chief was born in Sheboygan, Wisconsin, on November 11, 1905. He received a B.A. from the University of Wisconsin in 1927 and an M.A. in political science in 1936. After teaching high school for a short time, he worked as a research assistant at the University of Texas and as a field investigator and senior rating board examiner for the U.S. Civil Service Commission.

Toepel served in military intelligence in the U.S. Army during World War II and became educational coordinator for the Wisconsin Taxpayers Alliance after the war. He later was expeditor for the UW-Extension Center at Racine and the first director of the Green Bay Extension Center. From 1947 to 1949, Toepel served as executive secretary of the Wisconsin Education Commission. He directed the UW-Extension Division's Bureau of Government until he was appointed chief of the LRB in June 1950. He remained at this post until his death on July 12, 1963, in Madison. During his tenure as chief, Toepel emphasized legislative research and began publishing LRB research in a series of bulletins.

H. Rupert Theobald, 1963-1994

When he retired in July 1994, Dr. H. Rupert Theobald was the longest serving director of a legislative service agency in the nation. In recognition of his many accomplishments and years of service to the citizens of Wisconsin, the legislature directed that the LRB library be renamed the "Dr. H. Rupert Theobald Legislative Library" and that a bas relief be commissioned in his honor and permanently installed in the Assembly Chamber.

Born in Berlin, Germany, on March 12, 1930, Theobald attended colleges and universities in Germany before coming to Wisconsin. While a graduate student at West Berlin's *Freie Universitaet* with concurrent majors in journalism and political science-law, he had achieved "candidate of philosophy" standing and had begun his doctoral dissertation. He won a scholarship to the University of Wisconsin as a journalism trainee-special student in 1950-51 and became a U.S. citizen in 1955. He earned graduate degrees in political science from the Univer-

sity of Wisconsin-Madison, the M.A. in 1960 and the Ph.D. in 1971. His dissertation focused on legislative and congressional reapportionment.

Theobald joined the LRB staff in 1957 as a research associate. He was named coordinator of reference and research in 1960, served as acting chief in 1963, and was appointed bureau chief in January 1964.

During his 30-year tenure as chief, Theobald pioneered the development and installation of the nation's first computerized system for bill drafting and statutory retrieval. He was also a trusted consultant to the legislature and the courts because of his expertise in redistricting, parliamentary procedure, the legislative process, and state government organization. He assisted the Wisconsin Supreme Court in drafting a legislative redistricting plan in 1964 and during the 1965-67 interim served on the Governor's Executive Branch Reorganization Committee that developed a far reaching plan for the functional reorganization of the executive branch of Wisconsin state government.

Theobald served as a member and officer of a number of national organizations including the National Legislative Conference, the National Conference of State Legislatures and the Committee on Suggested State Legislation of the Council of State Governments. He also served on the Commission on Interstate Cooperation from 1963 to 1984. His contributions were recognized by the Council of State Governments in 1986, when he was made the first recipient of the Charles McCarthy Award for Leadership in Information Services, a special honor since the national award itself was named for the LRB's founder.

VII. APPENDIX

LRB Legal Section

Peter J. Dykman, Acting Chief	266-7098	Gordon M. Malaise, Attorney	266-9738
Richard A. Champagne, Attorney	266-9930	Robert P. Nelson, Senior Staff Counsel	267-7511
Timothy N. Fast, Senior Staff Counsel	266-9739	(1st Floor Atrium)	
Mary Gibson-Glass, Senior Staff Counsel	267-3215	Paul E. Nilsen, Attorney	261-6926
Peter R. Grant, Asst. Chief Counsel	267-3362	(1st Floor Atrium)	
K. Scott Hubli, Attorney	266-0135	Jefren E. Olsen, Attorney	266-8906
Pamela J. Kahler, Attorney	266-2682	Marc E. Shovers, Senior Staff Counsel	266-0129
Debora A. Kennedy, Asst. Chief Counsel	266-0137	Jack Stark, Asst. Chief Counsel	266-7291
Jeffery T. Kuesel, Asst. Chief Counsel	266-6778	(1st Floor Atrium)	
Mark D. Kunkel, Attorney	266-0131	Rebecca C. Tradewell, Asst. Chief Counsel	266-7290
(1st Floor Atrium)		Tina A. Yacker, Attorney	261-6927
Madelon J. Lief, Attorney	267-7380	(1st Floor Atrium)	

All attorneys are located on the 5th floor except as noted.

LRB Reference and Library Section

Lawrence S. Barish
 Director of Reference and Library 266-0344

Research Staff

Patricia E. Meloy, Lead Analyst 266-5510
A. Peter Cannon, Senior Research Analyst 266-5446
Michael Keane, Research Analyst 266-0346
Robert A. Paolino, Research Analyst 264-6982
Clark G. Radatz, Research Analyst 267-0707
Daniel F. Ritsche, Research Analyst 267-0710
Richard L. Roe, Research Analyst 267-0708
Gary A. Watchke, Senior Research Analyst 266-0345

Library Staff

Rose A. Arnold, Librarian 267-0712
Patricia Helgerson, Librarian 267-0709
Teresa Pellitteri, Librarian 267-0711
Marian G. Rogers, Librarian 266-2824

LRB Legal Section – Subject Areas and Attorneys by Initials

Richard A. Champagne	(RAC)	Madelon J. Lief	(MJL)
Peter J. Dykman	(PJD)	Gordon M. Malaise	(GMM)
Timothy N. Fast	(TNF)	Robert P. Nelson	(RPN)
Mary Gibson-Glass	(MGG)	Paul E. Nilsen	(PEN)
Peter R. Grant	(PG)	Jefren E. Olsen	(JEO)
K. Scott Hubli	(KSH)	Marc E. Shovers	(MES)
Pamela J. Kahler	(PJK)	Jack Stark	(JS)
Debora A. Kennedy	(DAK)	Rebecca C. Tradewell	(RCT)
Jeffery T. Kuesel	(JTK)	Tina A. Yacker	(TAY)
Mark D. Kunkel	(MDK)		

Administrative Law	RAC	Gambling	RAC
Agriculture	RCT	Health	DAK, TAY
Beverages	PEN	Higher Education – UW and Tech. Colleges	PG
Bonding	KSH	Higher Education	
Buildings and Safety	MJL	(except UW & Tech. Colleges)	TNF
Business Associations	KSH	Insurance	PJK
Children	GMM	Legislative Rules	PJD
Claims	JTK	Legislature	PJD
Constitutional Amendments	PJD	Lobbying	JTK
Correctional System	RAC	Mental Health	DAK
Counties	MES	Military Affairs	RPN
Courts and Court Procedure	RPN	Municipalities	MES
Criminal Law	JEO	Natural Resources	MGG
Criminal Procedure	JEO	Occupational Regulation	MDK
Discrimination	GMM	Probate	PJK
Domestic Relations	PJK	Public Assistance	TAY
Drunk Driving	RPN	Public Defender	MGG
Economic Development	PJK	Public Utilities	MDK
Education (K-12)	PG, MJL	Real Estate	PJK
Elections	JTK	Shared Revenue and Property Tax Credits	JS
Eminent Domain	PG	State Finance	KSH
Employment, Private Sector	GMM	Taxation (except Individual Income Taxation)	JS
Employment, Public Sector		Taxation, Individual Income	MES
(includes Employe Benefits)	RAC	Trade Regulation	MGG
Environment	RCT, PEN	Transportation	TNF, PEN
Ethics	JTK	Unemployment Compensation	JTK
Financial Institutions	KSH	Veterans	RPN

Selected Legislative Reference Bureau Publications

Research Bulletins

- RB-91-1 Chippewa Off-Reservation Treaty Rights: Origins and Issues. December 1991
RB-94-1 A Health Insurance Primer. January 1994
RB-94-2 The Evolution of Legalized Gambling in Wisconsin. March 1994
RB-96-1 Summary of the 1995-96 Wisconsin Legislative Session, 1995 Wisconsin Acts 1 to 469. July 1996

Informational Bulletins

- IB-88-1 Drugs in the Workplace: A Discussion of Issues. February 1988, Revised May 1988
IB-88-3 A Thumbnail History of Wisconsin Veterans' Legislation. August 1988
IB-88-6 Electronically Monitored Home Confinement: A New Alternative to Imprisonment. December 1988
IB-94-1 Use of Midlevel Practitioners for Primary Care. September 1994
IB-94-2 An Overview of AFDC in Wisconsin. September 1994
IB-95-1 Capital Punishment in Wisconsin and the Nation. April 1995
IB-95-2 Right to Die Issues. April 1995
IB-95-3 School Choice in Wisconsin. May 1995
IB-95-4 A Study Guide to the 1995-1996 Wisconsin Blue Book. September 1995
IB-95-5 "Let the People Decide" — Initiative and Referendum in Wisconsin. October 1995
IB-96-1 Stadium Finance: Government's Role in the 1990s. January 1996
IB-96-2 Historic Preservation Legislation in Wisconsin. February 1996
IB-96-3 Funding State and Federal Mandates. April 1996
IB-96-4 Sex Crimes and Penalties in Wisconsin. August 1996
IB-96-5 Wisconsin's Role in Electing the President. August 1996
IB-96-6 Wisconsin Firearms Laws and the Gun Control Debate. October 1996
IB-96-7 1997 Fiscal Estimate Manual. November 1996
IB-96-8 The Ground Rules of A Special Session. November 1996
IB-97-1 Legislative Reference Bureau Analysis of the 1997-99 Governor's Executive Budget Bill. February 1997.
IB-97-2 Ask the LRB. February 1997

Wisconsin Briefs

- Brief 90-6 An Introduction to Legislative History Research in Wisconsin. June 1990
Brief 92-4 A Summary of the Parental and Family Responsibility Initiative. May 1992
Brief 92-6 Legislative Turnover in the 1963-1991 Sessions of the Wisconsin Legislature. May 1992
Brief 92-7 Senate and Assembly Districts Promulgated for the 1992 Elections by the U.S. District Court for the Western District of Wisconsin. June 1992
Brief 92-14 Status of Term Limitations as of November 1992. November 1992
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Brief 94-5 Telecommunications Regulation and the Information Superhighway. May 1994
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Brief 95-3 The Minimum Drinking Age in Wisconsin. January 1995
Brief 95-4 Executive Budget Bills Enacted by the Wisconsin Legislature, 1931-1994. February 1995
Brief 95-5 Torts and Damages: The Civil Justice Reform Issue. February 1995
Brief 95-7 Executive Partial Veto of 1995 Assembly Bill 150: Executive Budget Bill Passed by the 1995 Wisconsin Legislature (1995 Wisconsin Act 27). August 1995
Brief 95-9 An Introduction to Wisconsin. September 1995
Brief 95-10 Who Are the Candidates? The 1996 Wisconsin Presidential Preference Primary. December 1995
Brief 96-1 Wisconsin Works (W-2): A Brief Description. June 1996
Brief 96-2 Executive Vetoes of Bills Passed by the 1995 Wisconsin Legislature From January 4, 1995, Through May 13, 1996. July 1996
Brief 96-5 Candidates: General Election, November 5, 1996. September 12, 1996
Brief 96-6 State Agencies, Boards, Councils and Commissions Created, Abolished or Altered by the 1995 Wisconsin Legislature 1995 Wisconsin Acts 1-469. October 1996
Brief 96-7 Executive Agency Programs Created and Transferred by the 1995-1996 Legislature. November 1996
Brief 96-8 1997-1998 Wisconsin State Officers. November 1996
Brief 96-9 Compensation of Wisconsin Legislators. December 1996
Brief 96-10 Brief Biographies 1997 Wisconsin Officers. December 1996
Brief 97-1 Profile of the 1997 Wisconsin Legislature As of January 6, 1997. January 1997
Brief 97-2 The Regulation of the Sale and Use of Tobacco in Wisconsin. January 1997
Brief 97-3 Constitutional Amendments Given "First Consideration" Approval by the 1995 Wisconsin Legislature. January 1997

Wisconsin Legislative Reference Bureau
Peter J. Dykman, Acting Chief

Reference Section (608) 266-0341; Fax (608) 266-5648
Legal Section (608) 266-3561; Fax (608) 264-8522

100 North Hamilton Street
P.O. Box 2037
Madison, Wisconsin 53701-2037