

# **Annual Report 2007**

Wisconsin Legislative Reference Bureau



*Cover photo by Kathleen Sitter, LRB Senior Publications Editor*

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This report is available online at <http://www.legis.state.wi.us/lrb/pubs/annrep/2007annrep.pdf>.

This report is issued for the fiscal year beginning July 1, 2006, and ending June 30, 2007.

Note: This report will be next published in 2009 and renamed *Biennial Report*.



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October 2007

Members of the Joint Committee on Legislative Organization:

Over the past year, the LRB has pursued ways to improve our service to the legislature and to the state of Wisconsin.

As of this writing, the state budget bill contains a transfer of the functions of the Revisor of Statutes Bureau to the LRB. Although the transfer has not yet been enacted, its passage seems likely, and the LRB has begun working with the Revisor to make the transition go as smoothly as possible. The transfer brings Wisconsin in line with the great majority of states that have combined the legislative drafting function with the statutory revision function. We plan to continue all the functions and services of the Revisor, and we hope to find ways to perform the revision functions more efficiently.

Recognizing that the LRB library houses a unique and valuable collection of materials, we have stepped up our efforts to make it more accessible to legislators and staff. This library was the core resource and function of the LRB when it was founded in 1901, and it has grown to become a nationally recognized repository of writings on the legislature, the legislative process, Wisconsin, and government. Most materials in the library are not available on the Internet, either due to copyright law, because they were published prior to the existence of the World Wide Web, or because they have never been published. The collection contains the most salient publications of Wisconsin state agencies and irreplaceable clippings from numerous periodicals that we have classified with library call numbers. The LRB also houses bill drafting records dating from 1927 to present. Our goal is to communicate to every member and staffer of the Wisconsin Legislature the nature of the library and how to use it.

Sincerely,

Stephen R. Miller, LRB Chief

# Mission statement

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The Legislative Reference Bureau provides legal advice and legislative drafting to the Wisconsin Legislature, offers information about state government and issues before the legislature to the legislature and the public, and maintains a comprehensive library of state government documents and other materials for the legislature and the public. Legislative Reference Bureau employees take pride in the legislative institution and are committed to providing these services confidentially, proficiently, and in a nonpartisan manner.

## Goals

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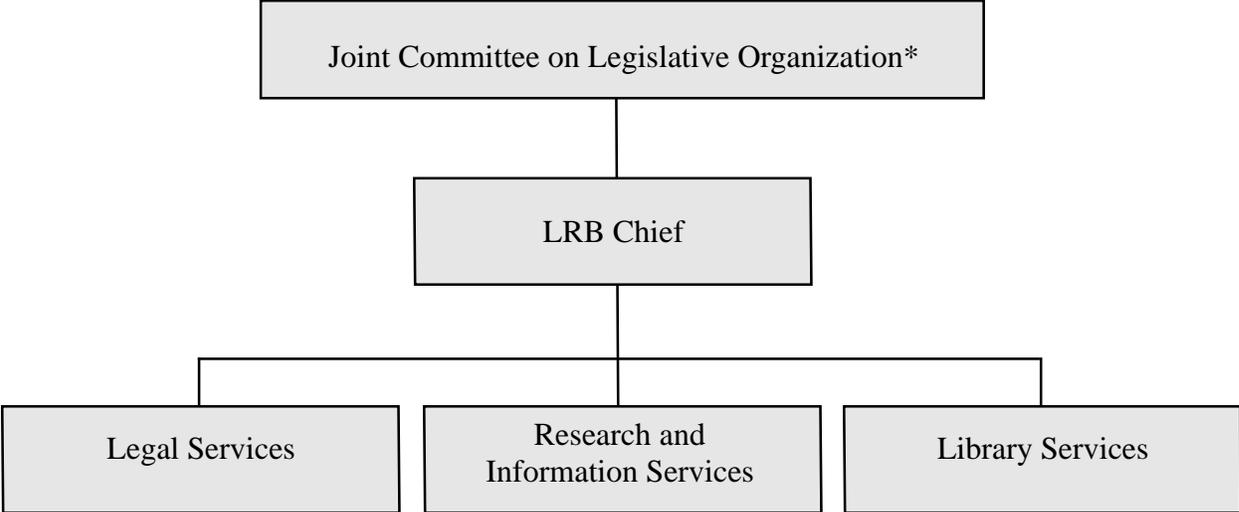
The Legislative Reference Bureau strives to improve its services and fulfill its commitment to the Wisconsin Legislature and to the residents of Wisconsin. During the next biennium, the LRB will do the following:

- Integrate the duties of the Revisor of Statutes Bureau into the duties of the LRB.
- Continue to work with the Legislative Technology Services Bureau (LTSB) to improve the integrated legislative text processing system used for bill drafting and for creating and maintaining the indexes to the *Bulletin of the Proceedings of the Wisconsin Legislature*.
- Communicate to all members and staffers of the Wisconsin Legislature the breadth and depth of the legislative library and the ease with which it can be used.
- Continue support for civics education.
- Add access to LRBCat to online subscription-based resources, such as *Health Affairs*, *CQ Researcher*, and full-text databases.



*Photos by Kathleen Sitter*

# Organization



*\*Members of the Joint Committee on Legislative Organization: Representative Michael Huebsch and Senator Fred Risser, cochairs, and Representative Jeff Fitzgerald, Representative Mark Gundrum, Representative James Kreuser, Representative Jon Richards, Senator Judith Robson, Senator David Hansen, Senator Scott Fitzgerald, and Senator Joseph Leibham.*

# Financial statement

Salaries	\$3,072,039
Benefits	1,098,393
Travel and training	29,138
Telecommunications	10,523
Insurance	3,520
Postage and employee recruitment	2,472
Rent	776,785
Supplies and services, equipment, software, miscellaneous	<u>34,222</u>
TOTAL	<u>\$5,027,092</u>
PROPERTY VALUE INVENTORY TOTAL	\$866,677

This statement is unaudited.  
 Source: Department of Administration

# Legal services

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## Executive budget bill

In the fall of 2006, the legal section began its work on the state's biennial budget bill, by far the largest single piece of legislation each session. The LRB's budget work begins in every even-numbered autumn with the drafting of state agency budget initiatives. Each budget item is prepared as a separate bill draft. Later in the year, the LRB drafts the governor's budget initiatives, working with the analysts in the State Budget Office. After the first of the odd-numbered year, the budget drafts are finalized and the governor decides which of these to include in the budget bill. Then the legal section combines the separate drafts, reconciles conflicts among them, and proofreads the resulting document. This year's budget bill, 2007 Senate Bill 40, was 1,757 pages long.

After introduction, the budget bill is referred to the Joint Committee on Finance (JCF). As the members of JCF decide on changes to the bill, primarily in May and June, the LRB works with analysts at the Legislative Fiscal Bureau to produce amendments reflecting those decisions. There are typically hundreds of changes made at this step in the process. Once JCF finishes its work, the legal section produces the JCF substitute amendment by incorporating all of the changes into the bill, again reconciling conflicts and proofreading. The bill then proceeds through each house of the legislature, and the legal section drafts amendments for individual legislators and for the caucuses. As for every bill, legal section staff members are available to draft amendments whenever the legislature is in floor session on the budget bill. This session, the legal section produced over 800 budget amendment drafts for floor action, some of which were combined into large amendments for the caucuses. Once the legislature completes its budget action, the LRB produces the enrolled bill, which reflects the amendments adopted by the legislature, and the enrolled bill goes to the governor.

## Litigation

In June 2007, the circuit court for Dane County granted summary judgment on behalf of two members of the legislature and held that bill drafts and files remain confidential even if they are shown to persons outside the legislature prior to introduction. In *Attorney General of Wisconsin v. Zien, et al.*, the court ruled that legislative proposals, such as bill drafts, shared prior to introduction with persons and groups not within the legislature are "draft" documents, within the meaning of the Wisconsin Public Records Act, and therefore not "records" under the law. The court held that "It is readily apparent that discussion of a legislative proposal, collecting of information about a proposal, and soliciting of advice and reaction from interested parties have long been essential, core parts of the legislative process."

## Peter J. Dykman retires

In August 2006, Peter J. Dykman retired after a long and fruitful career of service to the Wisconsin Legislature. Mr. Dykman began his distinguished career of legislative service when he joined the LRB as a bill drafter in 1970. His talent was quickly recognized, and he served as LRB director of legislative attorneys from 1975 to 1994, as deputy chief from 1986 to 1994, as acting chief from 1994 to 1998, and as general counsel and deputy chief until his retirement. Mr. Dykman was a primary architect of the integrated text processing system used by the legislature to manage legislative proposals. He represented Wisconsin as a member of the National Conference of Commissioners on Uniform State Laws for more than 30 years, earning the coveted status of life member. He is widely recognized as an expert on legislative process and parliamentary law and was frequently consulted on these subjects by members of the legislature, the press, and the public.

# Library services

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## Interlibrary loan

The LRB library now e-mails scanned copies of publications, instead of photocopying and mailing the copies, to fill lending requests from other libraries or to deliver articles to legislative offices. The process is faster and more cost effective.

## Legislative Research Librarians professional development seminar

The LRB hosted the Legislative Research Librarians (LRL) Staff Section of the National Conference of State Legislatures, which met October 18–21, 2006, for the fall professional development seminar. LRB library services staff created the program, scheduled speakers, selected tours, and designed the conference logo and Web site. The theme of the seminar was “cutting edge librarianship.” Topics included government information preservation and Web site evaluation, blogging in libraries, podcasting and oral history projects, and succession management. The seminar offered several firsts for the LRL: a dedicated Web page, a daily blog of the conference, podcasts promoting the seminar and Madison, and a reduced fee for local, non-LRL members to attend. Participants rated this seminar “very successful.” Visit [www.legis.state.wi.us/Conference](http://www.legis.state.wi.us/Conference) to view the seminar’s Web site.

## National Library Week

In celebration of National Library Week (April 16–21), the library services staff repeated the popular activity of collecting favorite book titles and reviews from legislators and legislative staff. The results were published anonymously in *Tap the Power: Favorite Books VI*. Please visit [www.legis.state.wi.us/lrb/pubs/ttp/ttp-05-2007.html](http://www.legis.state.wi.us/lrb/pubs/ttp/ttp-05-2007.html) for this issue.

## New integrated library system

On June 20, 2007, the LRB library introduced the new online catalog, named LRBCat, and the redesigned home page. The Web address is <http://lrbcats.legis.wisconsin.gov>. LRBCat has improved searching and sorting options, and it offers several new features. For example, visitors can subscribe to RSS feeds from various sources, including NCSL, GAO, and the LRB. The home page lists noteworthy titles on current-interest topics. Patrons may also log in and save their search results, place holds on library materials, renew loans, and make suggestions for items to purchase.



*Eileen Snyder, Legislative Librarian*



*Robin Ryan, Legislative Attorney*

# Research and information services

In addition to staffing the LRB's reference desk, the LRB research and information services staff educates interns and other employees at the Wisconsin Supreme Court, government agencies, and local law firms about the legislative process and the drafting process. The research and information services staff also participate in the LRB Seminars, various public presentations, and LRB podcasts.



*Clark Radatz, Senior Legislative Analyst*

## **Blue Book**

The *2007-2008 Wisconsin Blue Book* provides information about the three branches of government and contains a feature article on the legislative branch. Senior Legislative Analyst Michael J. Keane, with considerable input from publications editors Kathleen Sitter and Crystal Smith, wrote "Those Who Served: Wisconsin Legislators 1848–2007." The article provides a much-needed roster of every member of the Wisconsin Legislature from statehood to the present. Given the limitations of sometimes faulty, incomplete, or conflicting information from the early years, the list is as complete and accurate as current knowledge allows. The article also highlights individual members and the legislative institution.

# Outreach

## **LRB Seminars**

This year's LRB Seminars were held in the capitol. The LRB offered four seminars for which attendees received continuing legal education credits. Go to <http://lrb/intralrb/Seminarshows/index.htm> for the seminar catalog and the online seminars.

## **Presentations**

In August 2006, Legislative Analyst Lauren Jackson presented a seminar to Wisconsin Supreme Court clerks on how to research legislative histories.

In October 2006, Attorney Cathlene Hanaman, Senior Legislative Analyst Michael Keane, and Senior Legislative Attorney Marc Shovers spoke to parliament members from Hessen, Germany, a sister-state to Wisconsin. The Hessian parliament recently established its own legislative reference bureau, which answers questions from legislators concerning financial topics and publishes financial reports. Ms. Hanaman, Mr. Keane, and Mr. Shovers shared their experience in legislative service to help the Hessian legislative reference bureau improve its services.

In March 2007, Senior Legislative Analyst Michael Keane and Managing Librarian Marian Rogers conducted a library tour for a legal research class from the UW–Madison School of Library and Information Studies.

In April 2007, Senior Legislative Analyst Michael Keane and Senior Legislative Librarian Pat Reichert hosted a class from the UW–Milwaukee School of Information Studies graduate program; the group discussed how government documents are used in the Wisconsin Legislature.

# Civics education

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## **Enterprise Leadership Academy**

In August 2006, the LRB hosted 30 participants in the Enterprise Leadership Academy, a leadership development program. Senior Legislative Attorney Gordon Malaise spoke on the bill-drafting process and other legal services the LRB provides; Senior Legislative Analyst Daniel F. Ritsche talked about the research and information services the LRB provides; and Legislative Librarian Arden Rice spoke on the LRB's library services and how the cooperation of state agencies in the depository program supports the library's state documents collection.

## **Governing Wisconsin teacher's guide**

The LRB's Bonnie Reese intern, Paula McAvoy, developed a teacher's guide for the LRB's publication series entitled *Governing Wisconsin*. The teacher's guide includes a glossary and a section devoted to each of the following topics: principles of a republic, establishment of a state government, the legislative branch, the executive branch, the judiciary, and state government in action. The guide will be published later in 2007.

## **International student exchange**

In April, several students from Russia, Pakistan, and Turkmenistan visited the LRB. The students were participants in the Aspect Foundation student exchange program and visited the capitol as guests of Representative Mary Hubler. Senior Legislative Attorney Gordon Malaise spoke to the students about transforming ideas into legislation and the drafting process, from the initial idea to the bill's introduction in the legislature. Mr. Malaise also talked about other LRB services, such as responding to constituent questions, preparing legal memoranda, and helping legislators analyze problems and form legislative solutions.

## **Introduction to legislative research**

In October 2006, Legislative Analyst Anthony Gad gave a presentation entitled "An Introduction to Legislative Research" to students and staff from Wauwatosa East High School.

## **Senate Scholar Program**

In April and May, 30 Wisconsin high school students visited the LRB as part of the Senate Scholar Program, an immersion program in which students learn about the role of the legislature in our democracy. The program included an exercise in developing, drafting, and debating proposed legislation. Senior Legislative Attorney Gordon Malaise talked about bill drafting, with an emphasis on focusing on the problem and the intended solution; examining the consequences of the proposed solution in the real world; organizing the draft; and aiming for clarity, brevity, simplicity, precision, and consistency in statutory language. Senate Chief Clerk Robert Marchant led the group in a brainstorming session to spot and analyze issues and to develop possible legislative solutions. Finally, the group broke into smaller groups and drafted bills in preparation for a mock public hearing attended by the students' parents.

## **Senator Tim Cullen Internship**

In June, four Janesville-area high school students visited the LRB as part of the Senator Tim Cullen Internship program, a six-week program in which the students intern in the offices of legislators and visit state agencies. Senior Legislative Attorney Gordon Malaise spoke about bill drafting and the LRB's core values of nonpartisanship, confidentiality, expertise, and loyalty to the institution of the Wisconsin Legislature.

# Interns

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## **Rachel Grant**

Rachel Grant, a student at Edgewood College, served as an LRB intern during the fiscal year. During her internship, she evaluated the *Governing Wisconsin* series using a rubric she helped to develop, and she identified words to include in a glossary for the publication. She also assisted the library services staff.

## **Elizabeth Hovel**

Elizabeth Hovel, a student at Sun Prairie High School, interned for Speaker John Gard's office. She worked for the LRB in August 2006 and analyzed the *Governing Wisconsin* series for its relevance and interest to high school civics students.

## **Paula McAvoy**

The LRB selected Paula McAvoy as the 2007 Bonnie Reese Intern. Ms. McAvoy is a doctoral candidate in education policy studies at the University of Wisconsin–Madison. She holds a BA in international relations from the University of California–Davis and an MA in educational policy studies. Before coming to Madison, Ms. McAvoy was a teacher and codirector of an alternative program for eleventh- and twelfth-grade students in Los Altos, California. Wisconsin Women in Government sponsors the Bonnie Reese Internship, which honors the first woman to head a legislative service agency.

# LRB multimedia

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## ***Governing Wisconsin***

*Governing Wisconsin*, a civics education series of two-page papers intended for high school students, won a Notable Documents award in August 2006. With this award, the NCSL's Legislative Research Librarians Section formally recognizes excellence in documents that explore topics of contemporary interest to legislators and staff. *Governing Wisconsin* explains fundamental aspects of Wisconsin's government. In 2007, seven issues of *Governing Wisconsin* were added to the series, bringing the total number to 22. Please visit <http://www.legis.state.wi.us/lrb/gw/index.htm> to read this series.

## **Legislature's Web site**

Legislative analysts Jason Anderson and Anthony Gad worked with the LTSB to clarify on the Wisconsin State Legislature's Web site the research and information services the LRB provides. The analysts updated the research and information services page and posted additional links to online research and information tools. Please go to [www.legis.state.wi.us/lrb/Research/index.htm](http://www.legis.state.wi.us/lrb/Research/index.htm) to view the updated site.

## **LRB Podcasts**

Each LRB podcast presents an aspect of the Wisconsin legislative process. The podcasts are hosted by Chief Steve Miller and Legislative Editor Laura Kunkel. In the last year, Ms. Kunkel interviewed Legislative Attorney Chris Sundberg about the just compensation clause of the Wisconsin Constitution. Please go to <http://www.legis.state.wi.us/lrb/podcasts/index.htm> to listen.

# NCSL

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During the past year, the LRB chief, Steve Miller, served as staff chair of the National Conference of State Legislatures. In this role, he appointed legislative staff from around the country to various committees and task forces, and set the working agenda for these groups. Topics for the year included the future of the legislative institution; promoting better understanding of the separation of powers; improved training for legislative staff, including use of the Internet for training; and improving NCSL's communication with, and delivery of services to, legislative staff.

During the past year, Senior Attorney Robert Nelson served as the chair of NCSL's Legal Services Staff Section. LSSS offers professional training for staff who deliver legal services in the 50 states, and facilitates information exchange between states. As LSSS chair, Nelson was also a member of NCSL's Legislative Staff Coordinating Committee, which met quarterly to provide advice and counsel to the Executive Committee of NCSL.

In October 2006, Legislative Editor Laura Kunkel gave a presentation to the 2006 NCSL Biennial Legislative Editors Conference in Little Rock, Arkansas. The topic of Ms. Kunkel's presentation was the "ever-popular passive voice."

## Partners in giving

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### **State, University & UWHC Employees Combined Campaign of Dane County**

For the thirteenth consecutive year, the State, University & UWHC Employees Combined Campaign of Dane County recognized the LRB for its generosity. During the 2006 campaign, the LRB was second in total donated dollars and third in per capita contribution for agencies with up to 100 staff members. Also, for the fourth year, the LRB held a used book, CD, and DVD and greeting card sale; for the first time a silent auction was held. These special events raised more than \$300.



*Photo of the capitol dome by Kathleen Sitter*

# Production

	<u>2005-06</u>	<u>2006-07</u>
<b>Legal Section</b>		
Bills, amendments, and resolutions drafted	4,723	4,635
<b>Research and Information Section</b>		
Research bulletins published	0	2
Informational bulletins published	4	2
Wisconsin briefs published	19	14
Legislative briefs published	17	4
Budget briefs published	4	0
Total information requests	20,105	6,047
Requests from legislators	3,182	1,312
Requests from the general public	16,923	4,735
<b>Library Section</b>		
Total LRBCat (library catalog) titles	47,345	49,124
Titles added during the fiscal year	1,517	1,779
Total barcoded items in collection	63,348	66,149
Barcoded items added during fiscal year	2,499	2,801
Publications acquired—reference and circulation	1,656	1,593
Publications received—Wisconsin documents	1,324	1,492
Number received through depository	869	682
Number received directly from state agencies	455	810
Updates to loose-leaf manuals	65	66
Magazine/journal issues processed	534	485
Magazine/journal subscriptions	47	42
Clippings processed and classified	15,785	9,620
Indexes to the <i>Bulletin of the Proceedings</i> published	2	2
<b>Special purpose publications published</b>		
<i>Constitutional Highlights</i>	0	1
<i>Governing Wisconsin</i>	15	7
LRB Podcasts	9	1
<i>Tap the Power</i>	12	11
<i>Wisconsin at a Glance</i>	3	2

# Staff

Stephen Miller, Chief

## Library Services

Marian Rogers, Managing Librarian  
Rose Arnold, Senior Legislative Librarian  
Allan Marty, Library Services Assistant  
Patricia Reichert, Senior Legislative Librarian  
Arden Rice, Legislative Librarian  
Eileen Snyder, Legislative Librarian

## Research and Information Services

Larry Barish, Research Manager  
Jason Anderson, Legislative Analyst  
Victoria Enright, Senior Publications Editor  
Anthony Gad, Legislative Analyst  
Lauren Jackson, Legislative Analyst  
Michael Keane, Senior Legislative Analyst  
Lynn Lemanski, Senior Publications Editor  
Robert Paolino, Senior Legislative Analyst  
Clark Radatz, Senior Legislative Analyst  
Daniel Ritsche, Senior Legislative Analyst  
Kathleen Sitter, Senior Publications Editor  
Crystal Smith, Publications Editor

## Administrative Services

Cathlene Hanaman, Attorney and Administrative Services Manager  
Mike Barman, Senior Program Assistant  
Sarah Basford, Program Assistant  
Christina Duerst, Program Assistant  
Joy Dyer, Senior Legislative Editor  
Lynn Emery, Human Resources Specialist  
Kathy Follett, Legislative Editor  
Jean Frantzen, Senior Legislative Processing Specialist  
Patty Greenslet, Senior Legislative Processing Specialist  
Peter Herman, Information Technology Analyst  
Shelly Herritz, Legislative Processing Specialist  
Wendy Jackson, Legislative Editor  
Becky Kraft, Legislative Editor  
Laura Kunkel, Legislative Editor  
Karen Marty, Clerical Assistant  
Noah Natzke, Legislative Processing Specialist  
Lori Parisi, Program Assistant  
Ron Schlueter, Senior Legislative Processing Specialist  
Chris Siciliano, Senior Legislative Editor

## Legal Services

Brett Balinsky, Attorney  
Richard Champagne, Senior Attorney  
Aaron Gary, Attorney  
Mary Gibson-Glass, Senior Attorney  
Peter Grant, Managing Attorney  
Peggy Hurley, Attorney  
Pamela Kahler, Senior Attorney  
Debora Kennedy, Managing Attorney  
Robin Kite, Senior Attorney  
Joseph Kreye, Senior Attorney  
Tracy Kuczenski, Attorney  
Jeffery Kuesel, Managing Attorney  
Mark Kunkel, Senior Attorney  
Gordon Malaise, Senior Attorney  
Robert Nelson, Senior Attorney  
Robin Ryan, Attorney  
Marc Shovers, Senior Attorney  
Christopher Sundberg, Attorney  
Rebecca Tradewell, Managing Attorney

Staff shown as of June 30, 2007. During the fiscal year, Shanin Brown and Peter Dykman left the LRB.

