The State of Wisconsin

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Reference: 266-0341
Bill Drafting: 266-3561

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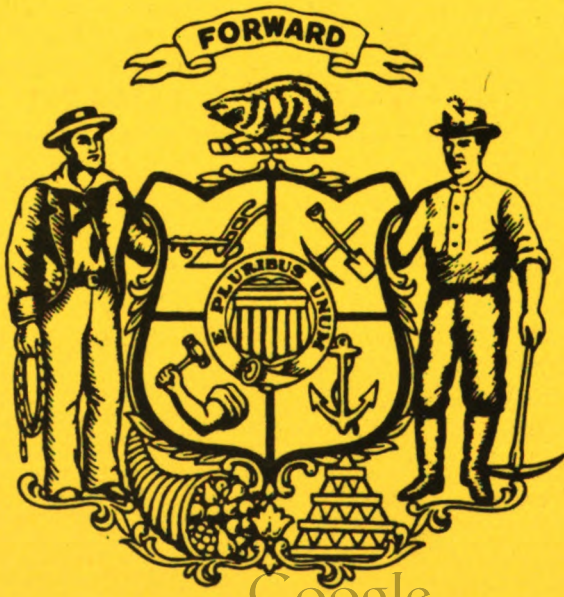
AUTHORITY AND FUNCTIONS OF THE WISCONSIN LEGISLATURE

Research Bulletin 78-RB-4

DECEMBER 1978



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FOREWORD

This publication contains an index to, and the actual text of, every provision of the U.S. Constitution, the Wisconsin Constitution, and the 1977 Wisconsin Statutes, which addresses itself to the authority and functions of the Wisconsin Legislature.

In recent years, the problems facing state government have grown more complex, and the Legislature has become involved in state government over a wider range of subjects and in more particularized detail. For the precise extent of the involvement in each instance, only the text of the law itself can be relied upon.

The information in this volume was compiled by Dr. H. Rupert Theobald, Chief of the Legislative Reference Bureau, using both computerized statutes searching and traditional research techniques. Based on the material so compiled Ms. Mina Waldie, Supervising Librarian in the LRB, prepared the index using the subject headings developed by her for the weekly subject index to legislation published during the sessions of the Legislature.

This volume was written to help new legislators and citizens interested in the legislative process better understand the ways that ideas are made into laws. It is part of a series of publications prepared by the Legislative Reference Bureau and the Legislative Council. If you would like more information about the legislative process, please don't hesitate to contact either agency. Both are ready to help you if they can.

ED JACKAMONIS
Speaker

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Authority and Functions of the Wisconsin Legislature

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Introduction. Rule 96 (intro.) of the 1977 Wisconsin Assembly says that the Assembly Manual is to contain, together with the Assembly rules and the joint rules of both houses, ..."those parts of the constitution and laws of this state pertaining to the legislature".... Actually, the Assembly Manuals issued in 1973, 1975 and 1977 contained the complete text of the Wisconsin Constitution. Statutes pertaining to the Legislature, not contained in the more recent editions of the Assembly Manuals, may have been last compiled for the Manual issued by the 1963 Wisconsin Assembly.

In its initial concept, this publication was to be a general discussion of the authority and functions of the Legislature. Such discussions have frequently been published in the literature of political science. For the information of the student they are, usually, sufficient. The present publication, on the other hand, is designed to serve the information needs of the members of the Wisconsin Legislature. In this case, a general discussion would certainly be inadequate. Even a compilation of descriptive statements — one for each provision of law found — would be misleading in that it is impossible to delete the detail and still to retain the precision of the statement found in the U.S. Constitution, the Wisconsin Constitution, or the Wisconsin Statutes.

This research bulletin was compiled in the fall of 1978 on the basis of a number of computer-assisted statute searches against the data base for the 1977 WISCONSIN STATUTES. When the statute searches were run, the data base was, as yet, un-proofread so that an occasional statute unit may have been missed. However, in order to reduce this possibility to the minimum, the list of statute units identified by the computer for inclusion in this compilation was supplemented by various conventional research methods.

The present compilation contains the actual text of each provision of law found to relate to the Wisconsin Legislature in that it describes, grants, imposes, or limits a power, duty or function of the Legislature. The emphasis is on the "Legislature". For instance, the compilation contains those parts of section 13.48 of the statutes, "Long-range public building program", deemed of interest to the entire Legislature, but omits other parts of that section which would be of interest only to those legislators who actually serve on the Building Commission. Similarly, the compilation omits many of the routine statements of statute law requiring an executive branch agency to submit an annual or biennial report to the Governor and to the Legislature, but contains the provision in full when the receipt of the report requires a legislative reaction.

The INDEX part of the present compilation was prepared by Ms. Mina Waldie, Supervising Librarian in the Legislative Reference Bureau. Ms. Waldie has been in charge of indexing legislation for the past 5 biennial sessions of the Legislature and, following each session, has cooperated with the Office of the Revisor of Statutes, to assure that the same subject-words appear as index headings or cross references not only in the periodic index to legislation, but also in the post-session subject indexes to the session laws and to the statutes. Thus, nearly all the index headings used for the present INDEX are already familiar to the user of other Wisconsin legislation and law indexes.

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The usefulness of this publication is, in large measure, determined by the comprehensiveness of its subject index. The Chief of the Legislative Reference Bureau will be happy to receive any suggestion which lends itself to improving the content or the index in a possible future edition.

State Capitol, December 17, 1978.

Dr. H. Rupert Theobald, Chief

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United States Constitution

ARTICLE 1.
LEGISLATIVE DEPARTMENT.

Powers of congress enumerated. SECTION 8. The Congress shall have power:

[1] To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

[2] To borrow money on the credit of the United States;

[3] To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

[4] To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

[5] To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

[6] To provide for the punishment of counterfeiting the securities and current coin of the United States;

[7] To establish post offices and post roads;

[8] To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

[9] To constitute tribunals inferior to the supreme court;

[10] To define and punish piracies and felonies committed on the high seas, and offences against the law of nations;

[11] To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

[12] To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

[13] To provide and maintain a navy;

[14] To make rules for the government and regulation of the land and naval forces;

[15] To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions;

[16] To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

[17] To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings;--And

[18] To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

Limitation on power of states. SECTION 10. [1] No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

[2] No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and controul of the Congress.

[3] No state shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE 4.
STATE GOVERNMENT.

Each state to give full credit to the acts of all other states. SECTION 1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the

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Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

Rights of citizens; extradition. SECTION 2. [1] The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

[2] A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

Boundaries and claims of states. SECTION 3. [1] New states may be admitted by the Congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the *legislatures* of the states concerned as well as of the Congress.

[2] The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

Republican form of government guaranteed; each state protected. SECTION 4. The United States shall guarantee to every state in this union a Republican form of government, and shall protect each of them against invasion; and on application of the *legislature*, or of the executive (when the *legislature* cannot be convened) against domestic violence.

ARTICLE 5.
AMENDING CONSTITUTION.

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the *legislatures* of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the *legislatures* of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; Provided, that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the senate.

ARTICLE 6.
STATES.

[2] This constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the *supreme law of the land*; and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.

[3] The senators and representatives before-mentioned, and the members of the several state *legislatures*, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation, to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

U.S. CONSTITUTION: AMENDMENTS.

Constitutional construction; rights of states. ARTICLE X. The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

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Wisconsin Constitution

As amended through December 1978

ARTICLE I.
DECLARATION OF RIGHTS

Free speech; libel. SECTION 3. Every person may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right, and *no laws shall be passed to restrain or abridge* the liberty of speech or of the press. In all criminal prosecutions or indictments for libel, the truth may be given in evidence, and if it shall appear to the jury that the matter charged as libelous be true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact.

Trial by jury; verdict in civil cases. SECTION 5. The right of trial by jury shall remain inviolate, and shall extend to all cases at law without regard to the amount in controversy; but a jury trial may be waived by the parties in all cases *in the manner prescribed by law.* Provided, however, that *the legislature may,* from time to time, *by statute provide* that a valid verdict, in civil cases, may be based on the votes of a specified number of the jury, not less than five-sixths thereof.

Attainder; ex post facto; contracts. SECTION 12. *No* bill of attainder, *ex post facto law, nor* any *law impairing the obligation of contracts, shall ever be passed,* and no conviction shall work corruption of blood or forfeiture of estate.

Equal property rights for aliens and citizens. SECTION 15. *No distinction shall ever be made by law* between resident aliens and citizens, in reference to the possession, enjoyment or descent of property.

Exemption of property of debtors. SECTION 17. The privilege of the debtor to enjoy the necessary comforts of life shall be recognized by wholesome *laws,* exempting a reasonable amount of property from seizure or sale for the payment of any debt or liability hereafter contracted.

Freedom of worship; liberty of conscience; state religion; public funds. SECTION 18. The right of every man to worship Almighty God according to the dictates of his own conscience shall never be infringed; nor shall any man be compelled to attend, erect or support any place of worship, or to maintain any ministry, against his consent; *nor shall* any control of, or interference with, the rights of conscience be permitted, or any *preference be given by law* to any religious establishments or modes of worship; nor shall any money be drawn from the treasury for the benefit of religious societies, or religious or theological seminaries.

Rights of suitors. SECTION 21. (1) Writs of error shall never be prohibited, and shall be issued by such courts *as the legislature designates by law.*

Transportation of school children. SECTION 23. Nothing in this constitution shall *prohibit the legislature from providing* for the safety and welfare of children by providing for the transportation of children to and from any parochial or private school or institution of learning.

Use of school buildings. SECTION 24. *Nothing* in this constitution *shall prohibit the legislature from authorizing, by law,* the use of public school buildings by civic, religious or charitable organizations during nonschool hours upon payment by the organization to the school district of reasonable compensation for such use.

ARTICLE III.
SUFFRAGE

Electors. SECTION 1. (intro.) Every person, of the age of twenty-one years or upwards, belonging to either of the following classes, who shall have resided in the state for one year next preceding any election, and in the election district where he offers to vote such time *as may be prescribed by the legislature,* not exceeding thirty days, shall be deemed a qualified elector at such election:

(3) The *legislature may at any time extend, by law,* the right of suffrage to persons not herein enumerated; but no such *law* shall be in force until the same shall have been submitted to a vote of the people at a general election, and approved by a majority of all the votes cast on that question at such election; and provided further, that *the legislature may provide* for the registration of electors, and prescribe proper rules and regulations therefor.

Votes to be by ballot. SECTION 3. All votes shall be given by ballot except for such township officers *as may by law be directed or allowed* to be otherwise chosen.

Exclusion from suffrage. SECTION 6. *Laws may be passed* excluding from the right of suffrage all persons who have been or may be convicted of bribery or larceny, or of any infamous crime, and

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depriving every person who shall make or become directly or indirectly interested in any bet or wager depending upon the result of any election from the right to vote at such election.

ARTICLE IV.
LEGISLATIVE

Legislative power. SECTION 1. The *legislative power* shall be vested in a *senate* and *assembly*.

Legislature, how constituted. SECTION 2. The number of the members of the *assembly* shall never be less than fifty-four nor more than one hundred. The *senate* shall consist of a number not more than one-third nor less than one-fourth of the number of the members of the *assembly*.

Apportionment. SECTION 3. At their first session after each enumeration made by the authority of the United States, *the legislature shall apportion and district anew* the members of the *senate* and *assembly*, according to the number of inhabitants, excluding soldiers, and officers of the United States army and navy.

Representatives to the assembly, how chosen. SECTION 4. The members of the *assembly* shall be chosen biennially, by single districts, on the Tuesday succeeding the first Monday of November after the adoption of this amendment, by the qualified electors of the several districts, such districts to be bounded by county, precinct, town or ward lines, to consist of contigious territory and be in as compact form as practicable.

Senators, how chosen. SECTION 5. The *senators* shall be elected by single districts of convenient contiguous territory, at the same time and in the same manner as members of the *assembly* are required to be chosen, and no *assembly* district shall be divided in the formation of a *senate* district. The *senate* districts shall be numbered in the regular series, and the *senators* shall be chosen alternately from the odd and even-numbered districts. The *senators* elected or holding over at the time of the adoption of this amendment shall continue in office till their successors are duly elected and qualified; and after the adoption of this amendment all *senators* shall be chosen for the term of four years.

Qualifications of legislators. SECTION 6. No person shall be eligible to the *legislature* who shall not have resided one year within the state, and be a qualified elector in the district which he may be chosen to represent.

Organization of legislature; quorum; compulsory attendance. SECTION 7. Each *house* shall be the judge of the elections, returns and qualifications of its own members; and a majority of each shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner under such penalties as each *house* may provide.

Rules; contempts; expulsion. SECTION 8. Each *house* may determine the rules of its own proceedings, punish for contempt and disorderly behavior, and with the concurrence of two-thirds of all the members elected, expel a member; but no member shall be expelled a second time for the same cause.

Officers. SECTION 9. Each *house* shall choose its own officers, and the *senate* shall choose a temporary president when the lieutenant governor shall not attend as president, or shall act as governor.

Journals; open doors; adjournments. SECTION 10. Each *house* shall keep a journal of its proceedings and publish the same, except such parts as require secrecy. The doors of each *house* shall be kept open except when the public welfare shall require secrecy. Neither *house* shall, without consent of the other, adjourn for more than three days.

Meeting of legislature. SECTION 11. The *legislature shall meet* at the seat of government at such time *as shall be provided by law*, unless convened by the governor in special session, and when so convened no business shall be transacted except as shall be necessary to accomplish the special purposes for which it was convened.

Ineligibility of legislators to office. SECTION 12. No member of the *legislature* shall, during the term for which he was elected, be appointed or elected to any civil office in the state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

Ineligibility of federal officers. SECTION 13. No person being a member of congress, or holding any military or civil office under the United States, shall be eligible to a seat in the *legislature*, and if any person shall, after his election as a member of the *legislature*, be elected to congress, or be appointed to any office, civil or military, under the government of the United States, his acceptance thereof shall vacate his seat. This restriction shall not prohibit a *legislator* from accepting short periods of active duty as a member of the reserve or from serving in the armed forces during any emergency declared by the executive.

Filling vacancies. SECTION 14. The governor shall issue writs of election to fill such vacancies as may occur in either *house of the legislature*.

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Exemption from arrest and civil process. SECTION 15. Members of *the legislature shall* in all cases, except treason, felony and breach of the peace, be privileged from arrest; nor shall they be subject to any civil process, during the session of the *legislature*, nor for fifteen days next before the commencement and after the termination of each session.

Privilege in debate. SECTION 16. No member of *the legislature shall* be liable in any civil action, or criminal prosecution whatever, for words spoken in debate.

Enactment of laws. SECTION 17. (1) The style of all *laws* of the state shall be "*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*".

(2) *No law shall be enacted* except by bill. *No law shall be in force* until published.

(3) The *legislature shall provide by law* for the speedy publication of all *laws*.

Title of private bills. SECTION 18. *No private or local bill* which may be passed by the legislature *shall embrace more than one subject*, and that shall be expressed in the title.

Origin of bills. SECTION 19. Any bill may originate in either *house of the legislature*, and a bill passed by one *house* may be amended by the other.

Yeas and nays. SECTION 20. The yeas and nays of the members of either *house* on any question shall, at the request of one-sixth of those present, be entered on the journal.

Powers of county boards. SECTION 22. The *legislature may confer upon* the boards of supervisors of the several counties of the state such powers of a local, legislative and administrative character as they shall from time to time prescribe.

Town and county government. SECTION 23. The *legislature shall establish* but one system of town government, which shall be as nearly uniform as practicable, but *the legislature may provide* for the election at large once in every 4 years of a chief executive officer in any county with such powers of an administrative character as they may from time to time prescribe in accordance with this section and shall establish one or more systems of county government.

Lotteries and divorces. SECTION 24. The *legislature shall never authorize* any lottery or grant any divorce.

(1) The *legislature may authorize* bingo games licensed by the state, and operated by religious, charitable, service, fraternal or veterans' organizations or those to which contributions are deductible for federal or state income tax purposes. All profits must inure to the licensed organization and no salaries, fees or profits shall be paid to any other organization or person.

(2) The *legislature may authorize* raffle games licensed by the state, and operated by local religious, charitable, service, fraternal or veterans' organizations or those to which contributions are deductible for federal or state income tax purposes. The *legislature shall limit* the number of raffles conducted by any such organization. All profits must inure to the licensed local organization and no salaries, fees or profits shall be paid to any other organization or person.

(3) Except *as the legislature may provide otherwise*, the following activities do not constitute consideration as an element of a lottery:

(a) To listen to or watch a television or radio program.

(b) To fill out a coupon or entry blank, whether or not proof of purchase is required.

(c) To visit a mercantile establishment or other place without being required to make a purchase or pay an admittance fee.

Stationery and printing. SECTION 25. The *legislature shall provide by law* that all stationery required for the use of the state, and all printing authorized and required by them to be done for their use, or for the state, shall be let by contract to the lowest bidder, but *the legislature may establish* a maximum price; no member of the *legislature* or other state officer shall be interested, either directly or indirectly, in any such contract.

Extra compensation; salary change. SECTION 26. The *legislature shall never grant* any extra compensation to any public officer, agent, servant or contractor, after the services shall have been rendered or the contract entered into; nor shall the compensation of any public officer be increased or diminished during his term of office except that when any increase or decrease provided by the *legislature* in the compensation of the justices of the supreme court or judges of any court of record shall become effective as to any such justice or judge, it shall be effective from such date as to each of such justices or judges. This section shall not apply to increased benefits for persons who have been or shall be granted benefits of any kind under a retirement system when such increased benefits are provided by a legislative act passed on a call of ayes and noes by a three-fourths vote of all the members elected to both *houses of the legislature*, which act shall provide for sufficient state funds to cover the costs of the increased benefits.

Suits against state. SECTION 27. The *legislature shall direct by law* in what manner and in what courts suits may be brought against the state.

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Oath of office. SECTION 28. Members of the *legislature*, and all officers, executive and judicial, except such inferior officers *as may be by law exempted*, shall before they enter upon the duties of their respective offices, take and subscribe an oath or affirmation to support the constitution of the United States and the constitution of the state of Wisconsin, and faithfully to discharge the duties of their respective offices to the best of their ability.

Militia. SECTION 29. The *legislature shall determine* what persons shall constitute the militia of the state, and may provide for organizing and disciplining the same in such manner *as shall be prescribed by law.*

Elections by legislature. SECTION 30. In all elections to be made by the *legislature* the members thereof shall vote viva voce, and their votes shall be entered on the journal.

Special and private laws prohibited. SECTION 31. The *legislature is prohibited from enacting any special or private laws* in the following cases:

1st. For changing the name of persons or constituting one person the heir at *law* of another.

2nd. For laying out, opening or altering highways, except in cases of state roads extending into more than one county, and military roads to aid in the construction of which lands may be granted by congress.

3d. For authorizing persons to keep ferries across streams at points wholly within this state.

4th. For authorizing the sale or mortgage of real or personal property of minors or others under disability.

5th. For locating or changing any county seat.

6th. For assessment or collection of taxes or for extending the time for the collection thereof.

7th. For granting corporate powers or privileges, except to cities.

8th. For authorizing the apportionment of any part of the school fund.

9th. For incorporating any city, town or village, or to amend the charter thereof.

General laws on enumerated subjects. SECTION 32. The *legislature shall provide general laws* for the transaction of any business that may be prohibited by section thirty-one of this article, and all such *laws* shall be uniform in their operation throughout the state.

Auditing of state accounts. SECTION 33. The *legislature shall provide for the auditing* of state accounts and may establish such offices and prescribe such duties for the same as it shall deem necessary.

Continuity of civil government. SECTION 34. The *legislature*, in order to ensure continuity of state and local governmental operations in periods of emergency resulting from enemy action in the form of an attack, *shall* (1) *forthwith provide* for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) *adopt such other measures* as may be necessary and proper for attaining the objectives of the section.

ARTICLE V.
EXECUTIVE

Election. SECTION 3. The governor and lieutenant governor shall be elected by the qualified electors of the state at the times and places of choosing members of the *legislature*. They shall be chosen jointly, by the casting by each voter of a single vote applicable to both offices beginning with the general election in 1970. The persons respectively having the highest number of votes cast jointly for them for governor and lieutenant governor shall be elected; but in case two or more slates shall have an equal and the highest number of votes for governor and lieutenant governor, the two *houses of the legislature*, at its next annual session shall forthwith, by joint ballot, choose one of the slates so having an equal and the highest number of votes for governor and lieutenant governor. The returns of election for governor and lieutenant governor shall be made in such manner *as shall be provided by law.*

Powers and duties. SECTION 4. The governor shall be commander in chief of the military and naval forces of the state. He shall have power to convene the *legislature* on extraordinary occasions, and in case of invasion, or danger from the prevalence of contagious disease at the seat of government, he may convene them at any other suitable place within the state. He shall communicate to the *legislature*, at every session, the condition of the state, and recommend such matters to them for their consideration as he may deem expedient. He shall transact all necessary business with the officers of the government, civil and military. He shall expedite all such *measures as may be resolved upon by the legislature*, and shall take care that the *laws* be faithfully executed.

Pardoning power. SECTION 6. The governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses, except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to such regulations *as may be provided by law* relative to the manner of applying for pardons. Upon conviction for treason he shall have the power to suspend the execution of the sentence until the case shall be reported to the

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legislature at its next meeting, when *the legislature shall* either pardon, or commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall annually communicate to the *legislature* each case of reprieve, commutation or pardon granted, stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date of the commutation, pardon or reprieve with his reasons for granting the same.

Lieutenant governor, when governor. SECTION 7. In case of the impeachment of the governor, or his removal from office, death, inability from mental or physical disease, resignation, or absence from the state, the powers and duties of the office shall devolve upon the lieutenant governor for the residue of the term or until the governor, absent or impeached, shall have returned, or the disability shall cease. But when the governor shall, *with the consent of the legislature*, be out of the state in time of war, at the head of the military force thereof, he shall continue commander in chief of the military force of the state.

Lieutenant governor president of senate; when secretary of state to be governor. SECTION 8. The lieutenant governor shall be president of the *senate*, but shall have only a casting vote therein. If, during a vacancy in the office of the governor, the lieutenant governor shall be impeached, displaced, resign, die, or from mental or physical disease become incapable of performing the duties of his office, or be absent from the state, the secretary of state shall act as governor until the vacancy shall be filled or the disability shall cease.

Governor to approve or veto bills; proceedings on veto. SECTION 10. Every bill which shall have passed the *legislature* shall, before it becomes a *law*, be presented to the governor; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that *house* in which it shall have originated, who shall enter the objections at large upon the journal and proceed to reconsider it. Appropriation bills may be approved in whole or in part by the governor, and the part approved shall become *law*, and the part objected to shall be returned in the same manner as provided for other bills. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, or the part of the bill objected to, it shall be sent, together with the objections, to the other *house*, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present it shall become a *law*. But in all such cases the votes of both *houses* shall be determined by yeas and nays, and the names of the members voting for or against the bill or the part of the bill objected to, shall be entered on the journal of each *house* respectively. If any bill shall not be returned by the governor within six days (Sundays excepted) after it shall have been presented to him, the same shall be a *law* unless the *legislature* shall, by their adjournment, prevent its return, in which case it shall not be a *law*.

ARTICLE VI.
ADMINISTRATIVE

Secretary of state; duties, compensation. SECTION 2. The secretary of state shall keep a fair record of the official acts of the *legislature* and executive department of the state, and shall, when required, lay the same and all matters relative thereto before either branch of the *legislature*. He shall perform such other duties *as shall be assigned him by law*. He shall receive as a compensation for his services yearly such sum *as shall be provided by law*, and shall keep his office at the seat of government.

Treasurer and attorney-general; duties, compensation. SECTION 3. The powers, duties and compensation of the treasurer and attorney-general *shall be prescribed by law*.

County officers; election, terms, removal; vacancies. SECTION 4. Sheriffs, coroners, register of deeds, district attorneys, and all other county officers except judicial officers and chief executive officers, shall be chosen by the electors of the respective counties once in every two years. The offices of coroner and surveyor in counties having a population of 500,000 or more are abolished. Counties not having a population of 500,000 shall have the option of retaining the elective office of coroner or instituting a medical examiner system. Two or more counties may institute a joint medical examiner system. Sheriffs shall hold no other office; they *may be required by law* to renew their security from time to time, and in default of giving such new security their office shall be deemed vacant, but the county shall never be made responsible for the acts of the sheriff. The governor may remove any officer in this section mentioned, giving to such a copy of the charges against him and an opportunity of being heard in his defense. All vacancies shall be filled by appointment, and the person appointed to fill a vacancy shall hold only for the unexpired portion of the term to which he shall be appointed and until his successor shall be elected and qualified.

ARTICLE VII.
JUDICIARY

Impeachment; trial. SECTION 1. The court for the trial of impeachments shall be composed of the *senate*. The *assembly* shall have the power of impeaching all civil officers of this state for corrupt conduct in office, or for crimes and misdemeanors; but a majority of all the members elected shall concur in an impeachment. On the trial of an impeachment against the governor, the lieutenant

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governor shall not act as a member of the court. No judicial officer shall exercise his office, after he shall have been impeached, until his acquittal. Before the trial of an impeachment the members of the court shall take an oath or affirmation truly and impartially to try the impeachment according to evidence; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office, or removal from office and disqualification to hold any office of honor, profit or trust under the state; but the party impeached shall be liable to indictment, trial and punishment *according to law.*

Court system. SECTION 2. The judicial power of this state shall be vested in a unified court system consisting of one supreme court, a court of appeals, a circuit court, such trial courts of general uniform statewide jurisdiction as *the legislature may create by law,* and a municipal court *if authorized by the legislature* under section 14.

Court of appeals. SECTION 5. [1] The *legislature shall by law* combine the judicial circuits of the state into one or more districts for the court of appeals and shall designate in each district the locations where the appeals court shall sit for the convenience of litigants.

(2) For each district of the appeals court there shall be chosen by the qualified electors of the district one or more appeals judges *as prescribed by law,* who shall sit *as prescribed by law.* Appeals judges shall be elected for 6-year terms and shall reside in the district from which elected. No alteration of district or circuit boundaries shall have the effect of removing an appeals judge from office during the judge's term. In case of an increase in the number of appeals judges, the first judge or judges shall be elected for full terms unless the *legislature* prescribes a shorter initial term for staggering of terms.

(3) The appeals court shall have such appellate jurisdiction in the district, including jurisdiction to review administrative proceedings, as *the legislature may provide by law,* but shall have no original jurisdiction other than by prerogative writ. The appeals court may issue all writs necessary in aid of its jurisdiction and shall have supervisory authority over all actions and proceedings in the courts in the district.

Circuit court: boundaries. SECTION 6. The *legislature shall prescribe by law* the number of judicial circuits, making them as compact and convenient as practicable, and bounding them by county lines. No alteration of circuit boundaries shall have the effect of removing a circuit judge from office during the judge's term. In case of an increase of circuits, the first judge or judges shall be elected.

Circuit court: election. SECTION 7. For each circuit there shall be chosen by the qualified electors thereof one or more circuit judges *as prescribed by law.* Circuit judges shall be elected for 6-year terms and shall reside in the circuit from which elected.

Circuit court: jurisdiction. SECTION 8. Except as otherwise provided by *law,* the circuit court shall have original jurisdiction in all matters civil and criminal within this state and such appellate jurisdiction in the circuit as *the legislature may* prescribe by *law.* The circuit court may issue all writs necessary in aid of its jurisdiction.

Judges: eligibility to office. SECTION 10.

(2) Justices of the supreme court and judges of the courts of record shall receive such compensation *as the legislature may authorize by law,* but may not receive fees of office.

Disciplinary proceedings. SECTION 11. Each justice or judge shall be subject to reprimand, censure, suspension, removal for cause or for disability, by the supreme court pursuant to procedures *established by the legislature by law.* No justice or judge removed for cause shall be eligible for reappointment or temporary service. This section is alternative to, and cumulative with, the methods of removal provided in sections 1 and 13 of this article and section 12 of article XIII.

Clerks of circuit and supreme courts. SECTION 12. There shall be a clerk of the circuit court chosen in each county organized for judicial purposes by the qualified electors thereof, who shall hold his office for two years, subject to removal *as shall be provided by law,* in case of a vacancy, the judge of the circuit court shall have power to appoint a clerk until the vacancy shall be filled by an election; the clerk thus elected or appointed shall give such security *as the legislature may require.* The supreme court shall appoint its own clerk, and a clerk of the circuit court may be appointed a clerk of the supreme court.

Justices and judges: removal by address. SECTION 13. Any justice or judge may be removed from office *by address of both houses of the legislature,* if two-thirds of all the members elected to each *house* concur therein, but no removal shall be made by virtue of this section unless the justice or judge complained of is served with a copy of the charges, as the ground of address, and has had an opportunity of being heard. On the question of removal, the ayes and noes shall be entered on the journals.

Municipal court. SECTION 14. The *legislature by law may authorize* each city, village and town to establish a municipal court. All municipal courts shall have uniform jurisdiction limited to actions and proceedings arising under ordinances of the municipality in which established. Judges of municipal courts may receive such compensation as provided by the municipality in which established, but may not receive fees of office.

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Justices and jndges: eligibility for office; retirement. SECTION 24.

(2) Unless assigned temporary service under subsection (3), no person may serve as a supreme court justice or judge of a court of record beyond the July 31 following the date on which such person attains that age, of not less than 70 years, which *the legislature shall prescribe by law.*

(3) A person who has served as a supreme court justice or judge of a court of record may, *as provided by law,* serve as a judge of any court of record except the supreme court on a temporary basis if assigned by the chief justice of the supreme court.

ARTICLE VIII.
FINANCE

Rule of taxation uniform; income, privilege and occupation taxes. SECTION 1. The rule of taxation shall be uniform but *the legislature may empower* cities, villages or towns to collect and return taxes on real estate located therein by optional methods. Taxes shall be levied upon such property with such classifications as to forests and minerals including or separate or severed from the land, *as the legislature shall prescribe.* Taxation of agricultural land and undeveloped land, both as defined by *law,* need not be uniform with the taxation of each other nor with the taxation of other real property. Taxation of merchants' stock-in-trade, manufacturers' materials and finished products, and livestock need not be uniform with the taxation of real property and other personal property, but the taxation of all such merchants' stock-in-trade, manufacturers' materials and finished products and livestock shall be uniform, except that *the legislature may provide* that the value thereof shall be determined on an average basis. Taxes may also be imposed on incomes, privileges and occupations, which taxes may be graduated and progressive, and reasonable exemptions may be provided.

Appropriation; limitation. SECTION 2. No money shall be paid out of the treasury except in pursuance of an *appropriation by law.* No appropriation shall be made for the payment of any claim against the state except claims of the United States and judgments, unless filed within six years after the claim accrued.

Annual tax levy to equal expenses. SECTION 5. The *legislature shall provide* for an annual tax sufficient to defray the estimated expenses of the state for each year, and whenever the expenses of any year shall exceed the income, *the legislature shall provide* for levying a tax for the ensuing year, sufficient, with other sources of income, to pay the deficiency as well as the estimated expenses of such ensuing year.

Public debt for extraordinary expense; taxation. SECTION 6. For the purpose of defraying extraordinary expenditures the state may contract public debts (but such debts shall never in the aggregate exceed one hundred thousand dollars). Every such debt shall be *authorized by law,* for some purpose or purposes to be distinctly specified therein; and the vote of a majority of all the members elected to each *house,* to be taken by yeas and nays, shall be necessary to the passage of such *law,* and *every such law shall provide* for levying an annual tax sufficient to pay the annual interest of such debt and the principal within five years from the passage of such *law,* and shall specially appropriate the proceeds of such taxes to the payment of such principal and interest; and *such appropriation shall not be repealed,* nor the taxes be postponed or diminished, until the principal and interest of such debt shall have been wholly paid.

Public debt for public defense; bonding for public purposes. SECTION 7. (1) The *legislature may* also *borrow money* to repel invasion, suppress insurrection, or defend the state in time of war; but the money thus raised shall be applied exclusively to the object for which the loan was authorized, or to the repayment of the debt thereby created.

(2) Any other provision of this constitution to the contrary notwithstanding:

(a) The state may contract public debt and pledges to the payment thereof its full faith, credit and taxing power:

1. To acquire, construct, develop, extend, enlarge or improve land, waters, property, highways, buildings, equipment or facilities for public purposes.

2. To make funds available for veterans' housing loans.

(b) The aggregate public debt contracted by the state in any calendar year pursuant to paragraph (a) shall not exceed an amount equal to the lesser of:

1. Three-fourths of one per centum of the aggregate value of all taxable property in the state; or

2. Five per centum of the aggregate value of all taxable property in the state less the sum of: a. the aggregate public debt of the state contracted pursuant to this section outstanding as of January 1 of such calendar year after subtracting therefrom the amount of sinking funds on hand on January 1 of such calendar year which are applicable exclusively to repayment of such outstanding public debt and, b. the outstanding indebtedness as of January 1 of such calendar year of any entity of the type described in paragraph (d) to the extent that such indebtedness is supported by or payable from payments out of the treasury of the state.

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(c) The state may contract public debt, without limit, to fund or refund the whole or any part of any public debt contracted pursuant to paragraph (a), including any premium payable with respect thereto and any interest to accrue thereon, or to fund or refund the whole or any part of any indebtedness incurred prior to January 1, 1972, by any entity of the type described in paragraph (d), including any premium payable with respect thereto and any interest to accrue thereon.

(d) No money shall be paid out of the treasury, with respect to any lease, sublease or other agreement entered into after January 1, 1971, to the Wisconsin State Agencies Building Corporation, Wisconsin State Colleges Building Corporation, Wisconsin State Public Building Corporation, Wisconsin University Building Corporation or any similar entity existing or operating for similar purposes pursuant to which such nonprofit corporation or such other entity undertakes to finance or provide a facility for use or occupancy by the state or an agency, department or instrumentality thereof.

(e) The *legislature shall prescribe* all matters relating to the contracting of public debt pursuant to paragraph (a), including: the public purposes for which public debt may be contracted; by vote of a majority of the members elected to each of the 2 *houses of the legislature*, the amount of public debt which may be contracted for any class of such purposes; the public debt or other indebtedness which may be funded or refunded; the kinds of notes, bonds or other evidence of public debt which may be issued by the state; and the manner in which the aggregate value of all taxable property in the state shall be determined.

(f) The full faith, credit and taxing power of the state are pledged to the payment of all public debt created on behalf of the state pursuant to this section and *the legislature shall provide* by appropriation for the payment of the interest upon and instalments of principal of all such public debt as the same falls due, but, in any event, suit may be brought against the state to compel such payment.

(g) At any time after January 1, 1972, by vote of a majority of the members elected to each of the 2 *houses of the legislature*, *the legislature may declare* that an emergency exists and submit to the people a proposal to authorize the state to contract a specific amount of public debt for a purpose specified in such proposal, without regard to the limit provided in paragraph (b). Any such authorization shall be effective if approved by a majority of the electors voting thereon. Public debt contracted pursuant to such authorization shall thereafter be deemed to have been contracted pursuant to paragraph (a), but neither such public debt nor any public debt contracted to fund or refund such public debt shall be considered in computing the debt limit provided in paragraph (b). Not more than one such authorization shall be thus made in any 2-year period.

Vote on fiscal bills; quorum. SECTION 8. On the passage in either *house of the legislature* of any *law* which imposes, continues or renews a tax, or creates a debt or charge, or makes, continues or renews an appropriation of public or trust money, or releases, discharges or commutes a claim or demand of the state, the question shall be taken by yeas and nays, which shall be duly entered on the journal; and three-fifths of all the members elected to such *house* shall in all such cases be required to constitute a quorum therein.

Internal improvements. SECTION 10. The state shall never contract any debt for works of internal improvement, or be a party in carrying on such works; but whenever grants of land or other property shall have been made to the state, especially dedicated by the grant to particular works of internal improvement, the state may carry on such particular works and shall devote thereto the avails of such grants, and *may pledge or appropriate the revenues* derived from such works in aid of their completion. Provided, that the state *may appropriate money* in the treasury or to be thereafter raised by taxation for the construction or improvement of public highways or the development, improvement and construction of airports or other aeronautical projects or the acquisition, improvement or construction of veterans' housing or the improvement of port facilities. Provided, that the state *may appropriate moneys* for the purpose of acquiring, preserving and developing the forests of the state; of the moneys appropriated under the authority of this section in any one year an amount not to exceed two-tenths of one mill of the taxable property of the state as determined by the last preceding state assessment may be raised by a tax on property.

ARTICLE X.
EDUCATION

Superintendent of public instruction. SECTION 1. The supervision of public instruction shall be vested in a state superintendent and such other officers as *the legislature shall direct*, and their qualifications, powers, duties and compensation *shall be prescribed by law*. The state superintendent shall be chosen by the qualified electors of the state at the same time and in the same manner as members of the supreme court, and shall hold his office for four years from the succeeding first Monday in July. The state superintendent chosen at the general election in November, 1902, shall hold and continue in his office until the first Monday in July, 1905, and his successor shall be chosen at the time of the judicial election in April, 1905. The term of office, time and manner of electing or appointing all other officers of supervision of public instruction *shall be fixed by law*.

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District schools; tuition; sectarian instruction; released time. SECTION 3. The *legislature* shall provide by *law* for the establishment of district schools, which shall be as nearly uniform as practicable; and such schools shall be free and without charge for tuition to all children between the ages of 4 and 20 years; and no sectarian instruction shall be allowed therein; but the *legislature by law may*, for the purpose of religious instruction outside the district schools, *authorize* the release of students during regular school hours.

Income of school fund. SECTION 5. *Provision shall be made by law* for the distribution of the income of the school fund among the several towns and cities of the state for the support of common schools therein, in some just proportion to the number of children and youth resident therein between the ages of four and twenty years, and no appropriation shall be made from the school fund to any city or town for the year in which said city or town shall fail to raise such tax; nor to any school district for the year in which a school shall not be maintained at least three months.

State university; support. SECTION 6. *Provision shall be made by law* for the establishment of a state university at or near the seat of state government, and for connecting with the same, from time to time, such colleges in different parts of the state as the interests of education may require. The proceeds of all lands that have been or may hereafter be granted by the United States to the state for the support of a university shall be and remain a perpetual fund to be called "the university fund," the interest of which shall be appropriated to the support of the state university, and no sectarian instruction shall be allowed in such university.

Sale of public lands. SECTION 8. *Provision shall be made by law* for the sale of all school and university lands after they shall have been appraised; and when any portion of such lands shall be sold and the purchase money shall not be paid at the time of the sale, the commissioners shall take security by mortgage upon the lands sold for the sum remaining unpaid, with seven per cent interest thereon, payable annually at the office of the treasurer. The commissioners shall be authorized to execute a good and sufficient conveyance to all purchasers of such lands, and to discharge any mortgages taken as security, when the sum due thereon shall have been paid. The commissioners shall have power to withhold from sale any portion of such lands when they shall deem it expedient, and shall invest all moneys arising from the sale of such lands, as well as all other university and school funds, in such manner as *the legislature shall provide*, and shall give such security for the faithful performance of their duties *as may be required by law*.

ARTICLE XI.
CORPORATIONS

Corporations; how formed. SECTION 1. Corporations without banking powers or privileges *may be formed under general laws*, but *shall not be created by special act*, except for municipal purposes, and in cases where, in the judgment of the *legislature*, the objects of the corporation cannot be attained under general *laws*. All general *laws* or special acts enacted under the provisions of this section *may be altered or repealed by the legislature* at any time after their passage.

Property taken by municipality. SECTION 2. No municipal corporation shall take private property for public use, against the consent of the owner, without the necessity thereof being first established *in the manner prescribed by the legislature*.

Municipal home rule; debt limit; tax to pay debt. SECTION 3.

Cities and villages organized pursuant to state *law* are hereby empowered, to determine their local affairs and government, subject only to this constitution and to such *enactments of the legislature* of state-wide concern as shall with uniformity affect every city or every village. The method of such determination shall be *prescribed by the legislature*. No county, city, town, village, school district or other municipal corporation may become indebted in an amount that exceeds an allowable percentage of the taxable property located therein equalized for state purposes *as provided by the legislature*. In all cases the allowable percentage shall be five per centum except as follows: (a) For any city authorized to issue bonds for school purposes, an additional ten per centum shall be permitted for school purposes only, and in such cases the territory attached to the city for school purposes shall be included in the total taxable property supporting the bonds issued for school purposes. (b) For any school district which offers no less than grades one to twelve and which at the time of incurring such debt is eligible for the highest level of school aids, ten per centum shall be permitted. Any county, city, town, village, school district, or other municipal corporation incurring any indebtedness as aforesaid, shall before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same; except that when such indebtedness is incurred in the acquisition of lands by cities, or by counties having a population of one hundred fifty thousand or over, for public, municipal purposes, or for the permanent improvement thereof, the city or county incurring the same shall, before or at the time of so doing, provide for the collection of a direct annual tax sufficient to pay the interest on

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such debt as it falls due, and also to pay and discharge the principal thereof within a period not exceeding fifty years from the time of contracting the same. An indebtedness created for the purpose of purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating or managing a public utility of a town, village, city or special district, and secured solely by the property or income of such public utility, and whereby no municipal liability is created, shall not be considered an indebtedness of such town, village, city or special district, and shall not be included in arriving at such debt limitation.

Acquisition of lands by state and subdivisions; sale of excess. SECTION 3a. The state or any of its counties, cities, towns or villages may acquire by gift, dedication, purchase, or condemnation lands for establishing, laying out, widening, enlarging, extending, and maintaining memorial grounds, streets, highways, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, and reservations in and about and along and leading to any or all of the same; and after the establishment, layout, and completion of such improvements, may convey any such real estate thus acquired and not necessary for such improvements, with reservations concerning the future use and occupation of such real estate, so as to protect such public works and improvements, and their environs, and to preserve the view, appearance, light, air, and usefulness of such public works. If the governing body of a county, city, town or village elects to accept a gift or dedication of land made on condition that the land be devoted to a special purpose and the condition subsequently becomes impossible or impractible, such governing body may by resolution or ordinance enacted by a two-thirds vote of its members elect either to grant the land back to the donor or dedicator or his heirs or accept from the donor or dedicator or his heirs a grant relieving the county, city, town or village of the condition; however, if the donor or dedicator or his heirs are unknown or cannot be found, such resolution or ordinance may provide for the commencement of proceedings in the manner and in the courts *as the legislature shall designate* for the purpose of relieving the county, city, town or village from the condition of the gift or dedication.

General banking law. SECTION 4. The *legislature shall have power to enact a general banking law* for the creation of banks, and for the regulation and supervision of the banking business, provided that the vote of two-thirds of all the members elected to each *house*, to be taken by yeas and nays, be in favor of the passage of such *law*.

ARTICLE XII.
AMENDMENTS

Constitutional amendments. SECTION 1. Any amendment or amendments to this constitution *may be proposed* in either *house of the legislature*, and if the same shall be agreed to by a majority of the members elected to each of the two *houses*, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and referred to the *legislature* to be chosen at the next general election, and shall be published for three months previous to the time of holding such election; and if, in the *legislature* so next chosen, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each *house*, then *it shall be the duty of the legislature to submit* such proposed amendment or amendments to the people in such manner and at such time *as the legislature shall prescribe*, and if the people shall approve and ratify such amendment or amendments by a majority of the electors voting thereon, such amendment or amendments shall become part of the constitution; provided that if more than one amendment be submitted, they shall be submitted in such manner that the people may vote for or against such amendment separately.

EFFECTIVE DATE OF AMENDMENT. Section 7.70 (3) (h) of the statutes [part]: ....Whenever a constitutional amendment or other validating or ratifying referendum which is adopted by the people does not expressly state the date of effectiveness, it shall become effective on the day after the last day which is allowed to file a petition for recount. If a recount is made, it shall become effective on the day after the last day which is allowed to file an appeal. If an appeal is filed, it shall become effective at the time the appellate court issues its decision unless the court finds any legal impediment to implementation.

Constitutional conventions. SECTION 2. If at any time a majority of the *senate* and *assembly* shall deem it necessary to call a convention to revise or change this constitution, they shall recommend to the electors to vote for or against a convention at the next election for members of the *legislature*. And if it shall appear that a majority of the electors voting thereon have voted for a convention, *the legislature shall*, at its next session, *provide* for calling such convention.

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ARTICLE XIII.
MISCELLANEOUS PROVISIONS

Great seal. SECTION 4. *It shall be the duty of the legislature to provide* a great seal for the state, which shall be kept by the secretary of state, and all official acts of the governor, his approbation of the *laws* excepted, shall be thereby authenticated.

Legislative officers. SECTION 6. The elective officers of the *legislature*, other than the presiding officers, shall be a chief clerk and a sergeant at arms, to be elected by each *house*.

Division of counties. SECTION 7. *No county* with an area of nine hundred square miles or less *shall be divided* or have any part stricken therefrom, without submitting the question to a vote of the people of the county, nor unless a majority of all the legal voters of the county voting on the question shall vote for the same.

Removal of county seats. SECTION 8. *No county seat shall be removed* until the point to which it is proposed to be removed shall be *fixed by law*, and a majority of the voters of the county voting on the question shall have voted in favor of its removal to such point.

Election or appointment of statutory officers. SECTION 9. All county officers whose election or appointment is not provided for by this constitution shall be elected by the electors of the respective counties, or appointed by the boards of supervisors, or other county authorities, as *the legislature shall direct*. All city, town and village officers whose election or appointment is not provided for by this constitution shall be elected by the electors of such cities, towns and villages, or of some division thereof, or appointed by such authorities thereof *as the legislature shall designate* for that purpose. All other officers whose election or appointment is not provided for by this constitution, and all officers whose offices may hereafter be created by *law*, shall be elected by the people or appointed, *as the legislature may direct*.

Vacancies in office. SECTION 10. The *legislature may declare* the cases in which any office shall be deemed vacant, and also the manner of filling the vacancy, where no provision is made for that purpose in this constitution.

Passes, franks and privileges. SECTION 11. [1] No person, association, copartnership, or corporation, shall promise, offer or give, for any purpose, to any political committee, or any member or employe thereof, to any candidate for, or incumbent of any *office or position under the constitution or laws*, or under any ordinance of any town or municipality, of this state, or to any person at the request or for the advantage of all or any of them, any free pass or frank, or any privilege withheld from any person, for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication.

[2] No political committee, and no member or employe thereof, no candidate for and no incumbent of any *office or position under the constitution or laws*, or under any ordinance of any town or municipality of this state, shall ask for, or accept, from any person, association, copartnership, or corporation, or use, in any manner, or for any purpose, any free pass or frank, or any privilege withheld from any person, for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication.

[3] Any violation of any of the above provisions shall be bribery and punished *as provided by law*, and if any officer or any member of the *legislature* be guilty thereof, his office shall become vacant.

[4] No person within the purview of this act shall be privileged from testifying in relation to anything therein prohibited; and no person having so testified shall be liable to any prosecution or punishment for any offense concerning which he was required to give his testimony or produce any documentary evidence.

[5] Notaries public and regular employes of a railroad or other public utilities who are candidates for or hold public offices for which the annual compensation is not more than three hundred dollars to whom no passes or privileges are extended beyond those which are extended to other regular employes of such corporations are excepted from the provisions of this section.

Recall of elective officers. SECTION 12. The qualified electors of the state or of any county or of any congressional, judicial or legislative district may petition for the recall of any elective officer after the first year of the term for which he was elected, by filing a petition with the officer with whom the petition for nomination to such office in the primary election is filed, demanding the recall of such officer. Such petition shall be signed by electors equal in number to at least twenty-five per cent of the vote cast for the office of governor at the last preceding election, in the state, county or district from which such officer is to be recalled. The officer with whom such petition is filed shall call a special election to be held not less than forty nor more than forty-five days from the filing of such petition. The officer against whom such petition has been filed shall continue to perform the duties of his office until the result of such special election shall have been officially declared. Other candidates for such office may be nominated in the manner *as is provided by law* in primary elections. The candidate who shall receive the highest number of votes shall be deemed elected for the remainder of the term. The name of the candidate against whom

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the recall petition is filed shall go on the ticket unless he resigns within ten days after the filing of the petition. After one such petition and special election, no further recall petition shall be filed against the same officer during the term for which he was elected. This article shall be self-executing and all of its provisions shall be treated as mandatory. *Laws may be enacted to facilitate* its operation, but *no law shall be enacted to hamper, restrict or impair* the right of recall.

ARTICLE XIV.
SCHEDULE

Territorial laws continued. SECTION 2. All *laws* now in force in the territory of Wisconsin which are not repugnant to this constitution *shall remain in force until* they expire by their own limitation or be *altered or repealed by the legislature.*

Seat of government. SECTION 6. The first session of the *legislature* of the state of Wisconsin shall commence on the first Monday in June next, and shall be held at the village of Madison, which shall be and remain the seat of government *until otherwise provided by law.*

Common law continued in force. SECTION 13. Such parts of the *common law* as are now in force in the territory of Wisconsin, not inconsistent with this constitution, *shall* be and *continue* part of the *law* of this state *until altered or suspended by the legislature.*

Oath of office. SECTION 15. The oath of office may be administered by any judge or justice of the peace *until the legislature shall otherwise direct.*

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4.003 Elections to the legislature. Beginning on May 9, 1972, all elections to the *legislature*, including elections for the balance of an unexpired term, shall be from the districts as described in ss. 4.01 to 4.33.

5.01 Scope.

(5) (b) In case 2 or more slates have an equal and the highest number of votes for governor and lieutenant governor, the *2 houses of the legislature shall* at the next annual session *choose by joint ballot* one of the slates so having an equal and the highest number of votes for governor and lieutenant governor.

5.05 Elections board; powers and duties.

(1) GENERAL AUTHORITY. (1) (c) [part] The board shall file a report of all civil actions brought by it and the disposition of those actions to the *appropriate standing committees* of each *house of the legislature*, as determined by the *presiding officer*, on March 1 and September 1 of each year.

(9) PRIOR APPROVAL OF RULES REQUIRED. This subsection does not apply to emergency rules adopted under s. 227.027.

(a) *Role of legislative council.* Prior to any public hearing on a proposed rule under chs. 5 to 12, or if no public hearing is required, prior to notification of the *standing committees*, the board shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the board and the revisor to:

1. Review the statutory authority under which the board intends to adopt the rule. The legislative council shall notify the board, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

2. Ensure that the procedures for the promulgation of a rule required by this subsection and ch. 227 are followed.

3. Review proposed rules for form, style and placement in the administrative code.

4. Review proposed rules to avoid conflict with or duplication of existing rules.

5. Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

6. Streamline and simplify the rule-making process.

7. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

8. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(b) *Legislative council to assist standing committees.* The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the board submits under this section.

(c) *Notification of standing committees.* The board shall notify *appropriate standing committees* when proposed rules under this section are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The board may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

(d) *Form of notice.* The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(e) *Standing committee review.* 1. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the board to attend the meeting and hold public hearings to review the proposed rule.

2. The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the board to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

3. The board may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

4. Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the board may promulgate the rule.

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(f) *Joint committee for the review of administrative rules.* 1. If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules.*

2. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

3. The board may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or until the bill in subd. 5 fails of enactment. The board may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

4. The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the board for further consideration or public hearings or both. If the joint committee disapproves a proposed rule, the board may not promulgate the proposed rule until the bill in subd. 5 fails of enactment.

5. When the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the committee shall as soon as possible place before the *legislature*, a bill to support the disapproval. If such bill is defeated, or fails of enactment in any other manner, the proposed rule or portion of the proposed rule may be promulgated. If the bill becomes law, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

7.60 County canvass.

(4) (a) The board of canvassers shall make separate duplicate statements for the president and vice president; state officials; U.S. senators and representatives in congress; *state legislators*, justice; court of appeals judge; and circuit judges. Each statement shall state in numbers written out the total number of votes cast in the county for each office; the names of all persons for whom the votes were cast, as returned; and the number of votes cast for each. One statement shall be used to report to the elections board under sub. (5) and the other statement shall be filed in the office of the county clerk.

(d) Each statement and determination issued under pars. (a) and (b) shall be certified as correct and attested to by each canvasser's signature. For *state legislators*, the statement shall include the post-office address and party designation.

(5) REPORTING. Immediately following the canvass the county clerk shall send the elections board, by certified mail with return receipt requested, a certified copy of each statement of the county board of canvassers for president and vice president, state officials, senators and representatives in congress, *state legislators*, justice, court of appeals judge and circuit judge. Following primaries the county clerk shall enclose on blanks furnished by the elections board, the names, party or principle designation, if any, and number of votes received by each candidate by voting wards or by municipalities, if not divided into wards.

(8) REFERENDA. Whenever a question is *submitted to the people by the state legislature*, the vote for and against shall be canvassed, certified and recorded and statements certified and delivered the same as for state officials.

7.70 State canvass.

(3) (d) When the certified statements and returns are received, the board of state canvassers shall proceed to examine and make a statement of the total number of votes cast at any election for the offices involved in the election for president and vice president; a statement for each of the offices of governor, lieutenant governor, if a primary, and a joint statement for the offices of governor and lieutenant governor, if a general election; a statement for each of the offices of secretary of state, state treasurer, attorney general, and state superintendent; for U.S. senator; representative in congress for each congressional district; the *state legislature*, justice; court of appeals judge; circuit judge; and for any referenda questions submitted by the *legislature*.

(h) Whenever a referendum question submitted to a vote of the people is approved, the elections board shall record it and the secretary of state shall have the record bound in the volume containing the original enrolled laws passed at the next succeeding session of the *legislature* and have the record published with the laws thereof. Whenever a constitutional amendment or other validating or ratifying referendum which is adopted by the people does not expressly state the date of effectiveness, it shall become effective on the day after the last day which is allowed to file a petition for recount. If a recount is made, it shall become effective on the day after the last day which is allowed to file an appeal. If an appeal is filed, it shall become effective at the time the appellate court issues its decision unless the court finds any legal impediment to implementation.

8.12 Presidential preference vote. (1) (a) On the first Tuesday in February of said year, there shall be convened in the capitol a committee consisting of, for each political party recognized under s. 5.62,

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the state chairman of that state party organization, the national committeeman and the national committeewoman; the *speaker* and the *minority leader of the assembly*, and the *president pro tempore* and *minority leader of the senate*. This committee shall organize by selecting an eleventh member who shall be the chairman and shall determine, and certify to the board no later than on the Friday following the first Tuesday in February, the names of all candidates of the political parties recognized under s. 5.62 for the office of president of the United States. The committee shall have sole discretion that such candidates' candidacy is generally advocated or recognized in the national news media throughout the United States.

8.15 Nominations for September primary.

(3) All signers on each separate nomination paper for all state offices, United States senators, congressmen, county offices and *state legislators* shall reside in the same county and in the district which the candidate named therein will represent, if elected.

8.50 Special elections.

(4) (e) Any vacancy in the office of *state senator* or *representative to the assembly* occurring before the 2nd Tuesday in May in the year in which a regular election is held to fill that seat shall be filled as promptly as possible by special election. However, any vacancy in the office of *state senator* or *representative to the assembly* occurring after the close of the last regular floorperiod of the *legislature* held during his or her term shall be filled only if a special session or extraordinary floorperiod of the *legislature* is called or a veto review period is scheduled during the remainder of the term. The special election to fill the vacancy shall be ordered, if possible, so the new member may participate in the special session or floorperiod.

10.51 Election occurrences listing; explanation.

(3) In case of any conflict between ss. 10.62 to 10.82 and the substantive statutes to which such sections refer, or the original acts of the *legislature* on which said substantive statutes are based, the substantive statute or the original *act of the legislature* shall control.

10.53 Revisor to correct listings. (intro.) In preparing each edition of the statutes for publication the revisor shall, if he finds that a conflict exists between the listings in ss. 10.62 to 10.82 and the substantive statutes to which such sections refer, correct the listing in this subchapter to properly reflect the intent of said substantive statute or of the *act of the legislature* on which the substantive statute is based.

(2) If the revisor makes any correction under the authority of this section, he shall incorporate the change in a revisor's correction bill to be submitted to the *legislature* at its next regularly scheduled meeting.

(3) Whenever a new *act of the legislature* requires a position or person to give an election notice or to perform a specific action in connection with any election, but such act fails to create an appropriate paragraph for inclusion within the listings in this subchapter, the revisor shall create and print the appropriate paragraph in compliance with this section.

11.21 Duties of the elections board. The board shall:

(15) Periodically review the adequacy of the disbursement limitations imposed under s. 11.31 and submit such recommendations to the *legislature* for adjustments as it may deem appropriate.

11.61 Criminal penalties; prosecution.

(3) (b) If a successful candidate for the *legislature* or U.S. congress is adjudged guilty in a criminal action of any violation of this chapter under sub. (1) (a) or (b), or of any violation of ch. 12 under s. 12.60 (1) (a) committed during his candidacy, the court shall after entering judgment certify its findings to the *presiding officer* of the legislative body to which the candidate was elected.

13.01 Number of legislators. The *senate* consists of 33 and the *assembly* of 99 members.

13.02 Regular sessions. The *legislature shall meet annually.*

(1) The *legislature shall convene* in the capitol on the first Monday of January in each odd-numbered year, at 2 p.m., to take the oath of office, select officers, and do all other things necessary to organize itself for the conduct of its business, but if the first Monday of January falls on January 1 or 2, the actions here required shall be taken on January 3.

(2) The regular session of the *legislature* shall commence at 2 p.m. on the first Tuesday after the 8th day of January in each year unless otherwise provided under sub. (3).

(3) Early in each biennial session period, the *joint committee on legislative organization* shall meet and develop a work schedule for the legislative session, which shall include at least one meeting in January of each year, to be submitted to the *legislature* as a joint resolution.

(4) Any measures introduced in the regular annual session of the odd-numbered year which do not receive final action shall carry over to the regular annual session held in the even-numbered year.

13.03 Oaths of members. The *speaker of the assembly*, *president of the senate*, governor, secretary of state, attorney general, any court of record or the clerk thereof, any court of appeals judge or any

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justice of the supreme court may administer the oath of office to the members and officers of the *legislature*. The oath shall be filed with the secretary of state.

13.035 Designation of members. *Members of the assembly* shall be known as "*representatives to the assembly*".

13.04 Legislators' eligibility to other civil office. (1) ELIGIBILITY. (a) No *member of the legislature* shall, during the term for which he was elected, be appointed or elected to any civil office in this state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

(b) Any former *member of the legislature* may, after expiration of the term for which he was elected to the *legislature*, be appointed or elected to any judicial office or state civil office or position and shall, if so appointed or elected, be entitled to the full compensation, expense reimbursement or other emoluments established by law for such office or position.

(c) Any incumbent *member of the legislature* may, during the term for which he was elected to the *legislature*, seek election to any judicial office or state elective office for a term commencing upon the expiration of the member's current legislative term and shall, if so elected, upon the commencement of the new term be entitled to the full compensation, expense reimbursement or other emoluments for such office or position established by law as of the date on which the term begins.

(d) Any incumbent *member of the legislature* who, during the term for which he was elected to the *legislature*, by appointment or election assumes any judicial office or state civil office or position for which the compensation or other emoluments were increased during the member's current legislative term by legislative action, or by any other official action requiring the assent of or subject to veto by the *legislature*, shall be entitled to the compensation or other emoluments for such office or position only at the rate in effect prior to such increase.

(e) Nothing in this subsection shall prevent the concurrent appointment of an incumbent *legislator* to an unsalaried part-time state position created during the *legislator*'s current legislative term when the emoluments for such position are limited to reimbursement for actual and necessary expenses incurred in the performance of the duties of the position and when the duties of such position are not incompatible with the *legislator*'s duties as a *member of the legislature*.

(2) COMPENSATION. *Members of the legislature* elected, appointed or employed in or to any other salaried state office, position or employment concurrent but not incompatible with their membership in the *legislature* shall be paid only such part of the salary fixed for such office or employment as is in excess of the salary paid them as *members of the legislature*.

13.05 Logrolling prohibited. Any *member of the legislature* who gives, offers or promises to give his vote or influence in favor of or against any measure or proposition pending or proposed to be introduced, in the *legislature* in consideration or upon condition that any other person elected to the same *legislature* will give or will promise or agree to give his vote or influence in favor of or against any other measure or proposition pending or proposed to be introduced in such *legislature*, or who gives, offers or promises to give his vote or influence for or against any measure on condition that any other member will give his vote or influence in favor of any change in any other bill pending or proposed to be introduced in the *legislature* may be fined not less than $500 nor more than $1,000 or imprisoned not less than one year nor more than 3 years or both.

13.06 Executive favor. Any *member of the legislature* who gives, offers or promises to give his vote or influence in favor of or against any measure or proposition pending or proposed to be introduced in the *legislature*, or that has already been passed by either *house of the legislature*, in consideration of or on condition that the governor approve, disapprove, veto or sign, or agree to approve, disapprove, veto or sign, any other measure or proposition pending or proposed to be introduced in the *legislature* or that has already been passed by *the legislature, or either house thereof*, or in consideration or upon condition that the governor nominate for appointment or appoint or remove any person to or from any office or position under the laws of this state, may be fined not less than $500 nor more than $1,000 or imprisoned not less than one year nor more than 2 years or both.

13.07 Freedom of debate confirmed. Nothing in ss. 13.05 and 13.06 shall be construed as prohibiting free discussion and deliberation upon any question pending before the *legislature* by members thereof, privately or publicly, nor as prohibiting agreements by members to support any single measure pending, on condition that certain changes be made in such measure, nor as prohibiting agreements to compromise conflicting provisions of different measures.

13.08 Mileage allowance. (1) The chief clerk of each *house*, immediately after the commencement of each regular or special session of the *legislature*, shall certify to the department of administration the names of all qualified members and the number of miles for which each member is entitled to be reimbursed. All such certificates shall be approved by the *presiding officer*.

(2) All *members of the legislature* shall be entitled to an allowance for transportation expenses incurred in going to and returning from the state capitol once every week during any legislative session,

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at the same rate per mile for each mile traveled in going to and returning from the state capitol on the most usual route as is provided for transportation for state officers and employes under s. 20.916. Such allowances shall be paid monthly upon presentation to the department of administration of a verified written statement containing such information as the department requires.

(4) Any *member of the legislature* may use any convenient public transportation and be reimbursed in full for not to exceed one round trip weekly actually traveled via such transportation.

13.09 Joint committee on finance. (1) There is created a joint *standing committee*, to be known as the *joint committee on finance*, consisting of 7 *senators* and 7 *representatives to the assembly* appointed as are the members of *standing committees* in their respective *houses*.

(2) The committee's cochairpersons may appoint a *subcommittee on small appropriations and claims*, consisting of committee members, to hold hearings at the direction of the committee on bills not exceeding $10,000 and claims not exceeding $2,500 and report its recommendations to the committee.

13.095 Review of programs started with federal aid. State agencies responsible for the administration of federal contract or grant-in-aid programs shall promptly notify the federal aid management service of the department of administration whenever any program or project, financed wholly or partially from federal aids, would have to be continued from state funds because federal aid will be or has been curtailed or withdrawn or because the federal program from which the aid was received has or will be expired. The federal aid management service under s. 16.545 shall promptly notify the *joint committee on finance* of all notifications received from state agencies. The 2 chairmen of the *joint committee on finance* may thereupon schedule a public hearing for the purpose of exploring alternatives with regard to the future in this state of the program for which federal aid will be or has been reduced or eliminated. The chief executive officer of the department or independent agency administering such program shall appear at the hearing for the information of the joint committee. The joint committee shall submit its recommendations including suggested legislation to the *legislature*.

13.10 Reference of bills to joint committee on finance. (1) All bills introduced in either *house of the legislature* for the appropriation of money, providing for revenue or relating to taxation shall be referred to the *joint committee on finance* before being passed.

(2) (a) Any bill making an appropriation and any bill increasing or decreasing existing appropriations or state or general local government fiscal liability or revenues shall, before any vote is taken thereon by either *house* of the *legislature* if the bill is not referred to a *standing committee*, or before any public hearing is held before any *standing committee* or, if no public hearing is held, before any vote is taken by the committee, incorporate as a reliable estimate of the anticipated change in appropriation authority or state or general local government fiscal liability or revenues under the bill, including to the extent possible a projection of such changes in future biennia. Except as otherwise provided by joint rules of the *legislature*, such estimates shall be made by the department or agency administering the appropriation or collecting the revenue. Fiscal estimates on bills which will be referred to the joint survey committee on tax exemptions, the joint survey committee on debt management or the joint survey committee on retirement systems shall be prepared by the appropriate committee. When a fiscal estimate is prepared after the bill has been introduced, it shall be printed and distributed as are amendments.

(b) Executive budget bills introduced under s. 16.47 (1) or 16.475 are exempt from the fiscal estimate requirement under par. (a) but shall, if they contain provisions affecting a public retirement fund, affecting state debt or revenue obligations or providing a tax exemption, be analyzed as to those provisions by the respective joint survey committee. The report of the joint survey committee on debt management shall be prepared within 60 days of introduction for bills introduced under s. 16.47 (1) and within 30 days of introduction for bills introduced under s. 16.475.

13.101 Appropriation changes; joint committee on finance. (1) The *joint committee on finance* shall hold regular quarterly meetings and shall hold special meetings upon call of the governor or upon call of the chairmen for the purposes of exercising its functions under this section.

(2) Requests made under subs. (3) and (4) in an amount not exceeding $5,000 and requiring immediate committee action may be resolved by mail ballot to be formally recorded at the next ensuing special or regular meeting. The committee may employ such assistants as it deems necessary and fix their compensation. For the purposes of this section the secretary of administration, or a designated representative, shall serve as secretary of the committee. The state auditor and the director of the legislative fiscal bureau, or their designated representatives, shall attend such meetings if the committee requests.

(3) The committee may supplement the appropriation of any department, board, commission or agency, which is insufficient because of unforeseen emergencies or insufficient to accomplish the purpose for which made, if the committee finds that:

(a) An emergency exists;

(b) No funds are available for such purposes; and

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(c) The purposes for which a supplemental appropriation or transfer is requested have been authorized or directed by the *legislature*.

(4) The committee may transfer between appropriations and programs if the committee finds that unnecessary duplication of functions can be eliminated, more efficient and effective methods for performing programs will result or legislative intent will be more effectively carried out because of such transfer and if legislative intent will not be changed as the result of such transfer. No transfer between appropriations or programs may be made to offset deficiencies arising from the lack of adequate expenditure controls by a department, board, institution, commission or agency. The authority to transfer between appropriations shall not include the authority to transfer from sum sufficient appropriations as defined under s. 20.001 (3) (d) to other types of appropriations.

(5) All requests for supplemental appropriations or appropriation transfers shall be filed with the secretary of the committee in writing and shall contain a statement of the amount requested, the purposes therefor, the statutory provision authorizing or directing the performance of the function, the nature of the emergency, and such other information as the committee may require. The governor shall submit a recommendation on the request to the committee. The committee shall afford all such requests a public hearing and the secretary of the committee shall give public notice of the time and place of such hearing.

(6) All grants of supplemental appropriations or transfers between appropriations under this section shall be determined by a roll call vote. A copy of the minutes shall be signed by the secretary and approved by the *presiding officers* and be transmitted to the department of administration, the state auditor and the legislative reference bureau. The minutes shall contain a statement of the findings of fact specified under sub. (3) and that a public hearing was held after the requisite notice. All transfers of appropriations and grants of supplemental appropriations may be approved in whole or in part by the governor and the part approved shall be so ordered, and the part objected to shall be returned to the committee for reconsideration. The chairmen of the committee shall call a meeting or conduct a mail ballot within 10 days of the receipt of the governor's objection and if, after reconsideration, two-thirds of the members of the committee by a roll call vote or recorded ballot sustain the original action it shall be so ordered by signature of the chairmen of the committee.

(7) The committee may request specific information from the secretary or any employe of the department of administration relative to the operations of the department, and require filing of progress reports on the operation of the department. The committee shall file with the legislative council by August 1 of each even-numbered year recommendations and legislative proposals which will improve the administration of the state's agencies, and a report on the work performed and accomplishments of the department of administration which shall be a public document.

(8) The committee may inquire into the operations or activities of any agency, department, board, institution or commission of the state, to determine better methods, systems or procedures for improving state government operations.

(9) Within one week after the general election in November of even-numbered years, if the incumbent governor is not reelected, the committee shall convene and grant a release of funds to the newly elected governor, to enable the incoming governor to review and analyze the budget, to hire staff and obtain space, and to do such other tasks as the committee approves. Funds released by the committee shall be appropriated to the office of the governor and any staff employed or expenses incurred by the incoming governor shall be charged to the appropriation under s. 20.525 (1) (a). Employes of the incoming governor shall be placed on the payroll of the office of the governor.

(10) The committee shall receive a report and recommendation from the secretary of administration in March of the even-numbered year relating to rental rates for state-owned housing as required under s. 16.004 (8) and, following its review, the committee shall approve a rental rate structure to govern rental rates for state-owned housing for the subsequent 2-year period beginning July 1 of such even-numbered year.

13.105 Marquette university dental school reports to governor and joint committee on finance. The Marquette university school of dentistry shall biennially report to the governor and the *joint committee on finance* on the:

(1) Number of faculty and nonfaculty positions at the dental school.
(2) Average faculty salaries compared to national averages.
(3) Costs per dental student.
(4) Student-faculty ratios of the dental school.
(5) Placement of graduates of the dental program and their rate of retention in this state.
(6) Minority student recruitment policies and programs.
(7) Programs and purposes for which funds appropriated by this state are spent.

13.106 Medical college of Wisconsin and UW Madison medical school reports to governor and joint committee on finance. (1) The medical college of Wisconsin and the university of Wisconsin-Madison medical school shall biennially report to the governor and the *joint committee on finance* on the:

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(a) Minority student recruitment policies and programs of each medical school, and the number of minority students enrolled.

(b) Number and percentages of Wisconsin residents enrolled.

(c) Average faculty salaries compared to national averages.

(d) Development of cooperative educational programs with other institutions throughout this state.

(e) Placement of graduates of doctor of medicine and residency training programs.

(2) Beginning with the 1975-77 biennium, the medical college of Wisconsin and the university of Wisconsin-Madison medical school shall report every other biennium to the governor and the *joint committee on finance* on the per student cost of medical education, in a consistent format and methodology to be developed in consultation with the medical education review committee under s. 39.16.

13.11 Records of joint committee on finance. The *joint committee on finance* shall keep a complete record of all legislation referred to it, and of its proceedings thereon. At the close of the session, such record shall be transmitted to the chief clerks and deposited by them with the secretary of state. The secretary of state, upon request therefor, shall deliver any such records of previous sessions to the *joint committee on finance*. Records so delivered shall be returned to the secretary of state by the chairman of the committee at or before the close of the session.

13.111 Joint committee on employment relations. (1) CREATION. There is created a permanent joint legislative committee known as the *joint committee on employment relations* with such powers and authority as are provided by law and composed of the following 8 members:

(a) *Senate* cochairperson, *joint committee on finance*.

(b) *Assembly* cochairperson, *joint committee on finance*.

(c) *Assembly majority leader*.

(d) *Assembly minority leader*.

(e) *Senate majority leader*.

(f) *Senate minority leader*.

(g) Speaker of the *assembly*.

(h) President pro tempore of the *senate*.

(2) DUTIES. The *joint committee on employment relations* shall perform the functions assigned to it under subch. V of ch. 111, subch. II of ch. 230 and s. 20.916.

13.121 Legislators' salaries. (1) CURRENT MEMBER. From the appropriation under s. 20.765 (1) (a), each *member of the legislature* shall be paid, in equal instalments, the salary provided under s. 20.923.

(2) DECEASED MEMBER. The salary of any member who dies during his term of office shall be paid for each pay period to a beneficiary named by him in writing and filed with the chief clerk of the *house* of which he is a member, until a personal representative has been appointed and qualified, and then to such personal representative until a successor has been elected and qualified. When any person elected a member dies before commencement of the term of office to which he is elected, he shall be deemed a member dying during such term of office and his salary shall be paid for each pay period to his estate or personal representative until a successor is elected and qualified.

(3) SPEAKER. For his services as *speaker*, the *speaker of the assembly* shall receive $25 per month, payable monthly, in addition to his compensation, expenses and mileage as a member.

(4) SICK LEAVE. For the purpose of premium determinations under ss. 40.146 and 40.16 (3) each *member of the legislature* shall accrue sick leave at the rate equivalent to the percentage of time worked established for such positions under s. 20.923. Such rate of time worked shall be applied to the sick leave accrual rate established under s. 230.35 (2).

13.123 Legislators' expenses. (1) IN-SESSION EXPENSES. (a) 1. Any *member of the legislature* who has signified, by affidavit filed with the department of administration, the necessity of establishing a temporary residence at the state capital for the period of any regular or special legislative session shall be entitled to an allowance of not exceeding $30 for expenses incurred for food and lodging for each day that he or she is in Madison on legislative business, but not including any Saturday or Sunday unless the *legislator* is in actual attendance on such day at a session of the *legislature* or a meeting of a *standing committee* of which the *legislator* is a member. Each *legislator* shall file an affidavit with the chief clerk of his or her *house* certifying the specific dollar amount within the authorized per diem the member wishes to receive and such affidavit, when filed, shall remain in effect for the biennial session.

2. Any *legislator* may, if the *legislator* chooses not to establish a temporary residence at the state capital, claim one-half of the allowance under subd. 1 for each of the days authorized thereunder.

(b) No allowance shall be paid under this subsection for any day during a recess of the *legislature* for 30 days or more *unless so provided by joint resolution* adopted by both *houses of the legislature*.

(c) Each member shall certify to the chief clerk of his *house*, as promptly as may be following the 1st of each month, the number of days during the previous calendar month on which he was in Madison

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on legislative business and for which he seeks the allowance provided by this subsection. Such allowances shall be paid from the appropriation under s. 20.765 (1) (a) within one week after each calendar month; and shall be paid, upon the filing with the department of administration, the chief clerk's affidavit stating the number of days in Madison on legislative business for all members of his *house*.

(2) INTERIM EXPENSES. From the appropriation under s. 20.765 (1) (a), each *member of the legislature* shall be entitled to an expense allowance for postage and clerical assistance for each full calendar month during which the *legislature* is in actual session 3 days or less.

(a) For *representatives to the assembly* such expense allowance shall be at the rate of $25 per month.

(b) For *senators* such expense allowance shall be at the rate of $75 per month.

(3) ATTENDANCE AT MEETINGS. (a) Any *senator* authorized by the committee on *senate organization* to attend a meeting outside the state capital, any *representative to the assembly* authorized by the committee on *assembly organization* to attend an out-of-state meeting or authorized by the *speaker* to attend a meeting within this state outside the state capital, and all *members of the legislature* required by law, legislative rule, resolution or joint resolution to attend such meetings, shall be paid no additional compensation for such services but shall be reimbursed for actual and necessary expenses from the appropriation under s. 20.765 (1) (a), but no *legislator* may be reimbursed under this subsection for expenses on any day for which the *legislator* submits a claim under sub. (1). Any expenses incurred by a *legislator* under s. 14.82 shall be reimbursed from the appropriation under s. 20.315.

(b) Notwithstanding par. (a), no *member of the legislature* may be reimbursed for attendance at any meeting held outside this state, other than a meeting of the *legislature*, a legislative committee, committee of the joint legislative council or a statutory body of which the person is a duly constituted member, after the chief clerk of the member's *house* determines: 1) after the day of the September primary, that the member either has not filed nomination papers for reelection or election to another legislative seat or has sought a party nomination for a legislative seat but it is generally acknowledged that the member has not won nomination; or 2) after the day of the general election, that it is generally acknowledged that the member has not been elected to a legislative seat for the succeeding session. In making such determination, the chief clerk is bound by the determination of the board of state canvassers if such determination has been issued.

(c) Paragraph (b) may not be construed to affect eligibility for any allowance authorized under sub. (1) or (2).

13.125 Chaplains. The officiating chaplain of the *senate* and *assembly* shall be paid such amount as may be established by each *house* for each day of service from the appropriation under s. 20.765 (1) (a). Payment shall be made on certification by the chief clerk of the *senate* or of the *assembly*, respectively, showing the amount to which each chaplain is entitled.

13.13 Speaker; speaker pro tempore; president pro tempore. (1) SPEAKER. The *assembly* shall elect by roll call vote one of its members as *speaker* who shall hold office during the term for which elected to the *assembly* unless separated by death, resignation or removal by a majority of the total present membership of the *assembly*. If the office is permanently vacated during the session, a successor shall be chosen.

(2) SPEAKER PRO TEMPORE. The *assembly* shall elect a *speaker pro tempore* who shall hold office for the term for which elected to the *assembly* unless separated by death, resignation or removal and who shall possess all the powers and prerogatives of the *speaker* in the absence of the *speaker*. In the absence or inability of the *speaker pro tempore* to preside, the *speaker* may name any member to perform the duties of the chair temporarily but such selection shall not extend beyond a day's adjournment of the *assembly*, and such member shall be invested, during such time, with all the powers of the *speaker* to preside.

(3) PRESIDENT PRO TEMPORE. The *senate* shall elect a *president pro tempore* at the commencement of each regular session. The *president pro tempore* shall hold his office until the commencement of the next succeeding regular session unless separated by death, resignation or removal and shall possess all the powers and prerogatives of the *president of the senate* in the absence of the *president of the senate*. In the absence or inability of the *president pro tempore* to preside, the *president of the senate* may name any member to perform the duties of the chair temporarily but such selection shall not extend beyond a day's adjournment of the *senate*, and such member shall be invested, during such time, with all the powers of the *president* to preside.

13.14 Miscellaneous expenses. (1) CONTINGENT EXPENDITURES. Expenditures from the legislative contingent fund under s. 20.765 (1) (b) shall be made only when authorized by majority vote of the *joint committee on legislative organization* or of the *organization committee* in the respective *house*. The vote may be taken by mail ballot. Such expenditures shall be vouchered as are any other expenditures of the *legislature*.

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(2) FLORAL PIECES. The *senate* and *assembly* may procure floral pieces for deceased or ill *members of the legislature* and state officers who, in the judgment of the *presiding officer* and chief clerk, have been identified with the legislative process. Such expenses shall be by voucher, signed by the *presiding officer* or chief clerk of the respective *house*, and shall be drawn on the appropriation under s. 20.765 (1) (a).

(3) TRAVEL: LEGISLATIVE PERSONNEL. The actual and necessary expenses of the lieutenant governor incident to attending the lieutenant governor's conference shall be reimbursed from the appropriation under s. 20.765 (4) (a), and the actual and necessary expenses of legislative policy research personnel, assistants to legislative leaders and research staff assigned to legislative committees and party caucuses incident to attending meetings outside the capital shall be reimbursed from the appropriation under s. 20.765 (1) (a).

13.15 Chief clerks. (1) ELECTION. Each *house*, at the commencement of each regular session, shall elect a chief clerk who shall perform all such duties as by custom appertain to his office and all duties imposed by law or by the rules. In the absence of the chief clerk his duties shall be performed by one of the clerks acting under him, appointed by him in writing.

(2) SALARY AND EXPENSES. The chief clerk of the *senate* and of the *assembly* shall each receive:

(a) The salary established in implementation of s. 13.20 (2).

(b) For travel to and from the state capitol and for expenses incurred for food and lodging, necessitated by the establishment of a temporary residence in Madison during any session of the *legislature*, the same reimbursement as is provided *members of the legislature* by ss. 13.08 (2) and 13.123 (1).

(c) In the period when the *legislature* is not in session, their actual and necessary expenses incurred in the performance of their duties. Such expenses shall be reimbursed by voucher signed by the *presiding officer* of the respective *house*.

(d) For attendance at conferences and other official meetings approved by the *president pro tempore* for the *senate* or the *speaker* for the *assembly*, their actual and necessary expenses.

13.16 Chief clerks' duties. The chief clerk of each *house* shall be personally responsible for the safekeeping of every bill, memorial, joint resolution or other document or paper pertaining to legislation, which comes to his hands or to the hands of his deputy or assistant from any member, committee or officer *of the legislature or of either branch thereof*. He shall keep a full record thereof and shall enter in such record the disposition made of the same. Such chief clerks, at the close of each session shall deposit for safekeeping in the office of the secretary of state all books, bills, documents and papers in the possession of the *legislature*, correctly labeled. The chief clerk of the *house* in which a joint resolution or resolution originates shall deposit a copy of such resolution or joint resolution in the office of the secretary of state immediately upon its adoption by the *legislature*, enrollment and signing.

13.17 Journals. A journal of the *senate* and *assembly* shall be prepared under the direction of the chief clerks of the respective *houses*. When completed, each journal shall be printed as provided by law. The chief clerk of each *house* shall certify one copy of such journal to the secretary of state for deposit. The printed journals shall be the official record of each *house of the legislature*.

13.175 Referenda. Every proposal for legislation which is to be submitted to the voters for their approval or for an expression of their opinion including, without limitation because of enumeration, proposed constitutional amendments, advisory referenda, and legislation designed to become effective only after ratification by the voters shall include a complete statement of the referendum question upon which the voters shall be requested to vote. No such proposal shall be passed by either *house of the legislature* unless it contains the precise wording of the referendum question which is to be submitted to the voters for their approval, expression of opinion or ratification.

13.18 Sergeants at arms. (1) ELECTION. Each *house*, at the commencement of each regular session, shall elect a sergeant at arms who shall perform all such duties as by custom appertain to his office and all duties imposed by law or by the rules.

(2) SALARY AND EXPENSES. The sergeant at arms of the *senate* and of the *assembly* shall each receive:

(a) The salary established in implementation of s. 13.20 (2).

(b) For travel to and from the state capitol and for expenses incurred for food and lodging, necessitated by the establishment of a temporary residence in Madison during any session of the *legislature*, the same reimbursement as is provided *members of the legislature* by ss. 13.08 (2) and 13.123 (1).

(c) In the period when the *legislature* is not in session, their actual and necessary expenses incurred in the performance of their duties. Such expenses shall be reimbursed by voucher signed by the *presiding officer* of the respective *house*.

13.19 Arrest of officers. No officer of the *senate* or *assembly*, while in actual attendance upon the duties of his office, shall be liable to arrest on civil process.

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13.20 Legislative employes. (1) NUMBER; QUALIFICATIONS; STAFFING PATTERN. (a) The *legislature or either house thereof* may employ such clerical, professional or other assistants as in the judgment of the *joint committee on legislative organization* or the committee on organization in each *house* are necessary to enable it to perform its functions and duties and to best serve the people of this state.

(b) No person, except those under s. 230.08 (2) (f), shall be employed by the *legislature* before passing a qualifying examination, administered by the department of employment relations, in which the person successfully demonstrates possession of the minimum qualifications for the position in which the person seeks employment.

(c) Each *house shall by resolution establish* a staffing pattern setting forth the staff positions in that *house*. The resolutions shall specify the number and type of positions under the classified service considered permanent positions or considered limited-term employment positions, and the number and type of positions to be filled outside the classified service. A *fiscal estimate* under s. 13.10 (2) *is required for each such resolution*. At the commencement of each regular biennial legislative session, the staffing pattern in effect at the conclusion of the preceding regular legislative session shall continue *until superseded by resolution*.

(2) PAY RANGES; DURATION OF EMPLOYMENT. All legislative employes shall be paid in accordance with the compensation and classification plan for limited-term employes in the classified civil service within ranges recommended by the department of employment relations and approved by the *joint committee on legislative organization*. Limited-term appointments shall be for the term of the *legislature*, unless terminated by the appointing officer.

13.21 State departments to co-operate in providing legislative help. (1) Because of the difficulty in securing necessary help to fill legislative positions in regular sessions of the *legislature*, due to the manpower shortage, each department and agency of the state government and the employes thereof shall co-operate with the *legislature* to the fullest extent in the transfer to the *legislature* of such employes as are necessary to fill all legislative positions.

(2) All employes so transferred shall receive such compensation as is prescribed by law for such legislative positions. Such employes shall continue their civil service rating, sick leave, vacation and other rights under ch. 230 and after termination of their employment in such legislative positions shall be returned to the respective departments and agencies from which they were transferred for resumption of their regular employment.

13.22 Payroll, legislative employes. The chief clerk and sergeant at arms of each *house* shall certify to the department of administration the payrolls for legislative employes in their respective *houses*. Such certificates shall be approved as provided by the rules of each *house*.

13.23 Election contests; notice. Any person wishing to contest the election of any *senator* or *member of the assembly* shall, within 30 days after the decision of the board of canvassers, serve a notice in writing on the person whose election he intends to contest, stating briefly that his election will be contested and the cause of such contest, and shall file a copy thereof in the office of the elections board at least 10 days before the day fixed by law for the meeting of the *legislature*. The elections board shall then send a copy of s. 13.24 to both contestants. If any contestant fails to so file a copy of such notice, he shall not be entitled to any mileage or salary in case payment has been made therefor to the sitting member.

13.235 Election contests; legislative inquiry. (1) Either *house of the legislature may by resolution inquire* into a contested legislative election of its own *house* notwithstanding failure to comply with s. 13.23.

(2) The procedure of s. 13.24 shall be followed except that depositions so taken shall be received by the *presiding officer of the house* within 30 days after jurisdiction of the contest has been taken by the *house*. If authorized by the resolution in sub. (1), the *house* or a committee of the *house* may take testimony on matters not covered in the depositions.

(3) If a member takes the oath while his seat is being contested, he shall not be considered seated until the contest is resolved. Any election contest shall be resolved by a majority vote of the *house*.

13.24 Testimony in election contests. (1) After the service of the notice required by s. 13.23 either party may proceed to take the depositions of witnesses before any judge, court commissioner or a municipal judge in the district where the contest is pending, upon giving 10 days' notice in writing to the opposite party of the time and place at which and the officer before whom such depositions will be taken. No deposition shall be taken after the last Monday preceding the day fixed by law for the meeting of the *legislature*, except in case of sickness or unavoidable absence of witnesses.

(2) The officer before whom such depositions are taken shall carefully envelope and seal up the same, indorse on the envelope the names of the contestant and contestee, and direct the depositions so indorsed to the *presiding officer* of the branch of the *legislature* by which the contest is to be determined.

(3) The depositions so taken may be used and read in evidence by either party upon the hearing of such contest, and no other depositions than those so taken shall be used or heard, nor shall such branch

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of the *legislature*, by its committees or otherwise, hear or seek to procure other testimony, but shall proceed forthwith to determine the contest upon the depositions so furnished.

13.25 Expenses of election contest; limitation. Not more than $300 shall be allowed by the *legislature* to any contestant or contestee for any fees or expenses of any kind incurred in a contest over a seat in *either branch of the legislature*.

13.26 Contempt. (1) Each *house* may punish as a contempt, by imprisonment, a breach of its privileges or the privileges of its members; but only for one or more of the following offenses:

(a) Arresting a member or officer of the *house*, or procuring such member or officer to be arrested in violation of his privilege from arrest.

(b) Disorderly conduct in the immediate view of either *house* or of any committee thereof and directly tending to interrupt its proceedings.

(c) Refusing to attend or be examined as a witness, either before the *house* or a committee, or before any person authorized to take testimony in legislative proceedings, or to produce any books, records, documents, papers or keys according to the exigency of any subpoena.

(d) Giving or offering a bribe to a member, or attempting by menace or other corrupt means or device to control or influence a member in giving his vote or to prevent his giving the same.

(2) The term of imprisonment a *house* may impose under this section shall not extend beyond the same session of the *legislature*.

13.27 Punishment for contempt. (1) Whenever either *house of the legislature* orders the imprisonment of any person for contempt under s. 13.26 such person shall be committed to the Dane county jail, and the jailer shall receive such person and detain him in close confinement for the term specified in the order of imprisonment, unless he is sooner discharged by the order of such *house* or by due course of law.

(2) Any person who is adjudged guilty of any contempt of the *legislature or either house* thereof shall be deemed guilty also of a misdemeanor, and after the adjournment of such *legislature*, may be prosecuted therefor in Dane county, and may be fined not more than $200 or imprisoned not more than one year in the county jail.

13.28 Interpellation of officers. (1) Upon the petition of 6 *members of the senate*, not more than 4 of whom belong to the same political party, or of 17 *members of the assembly*, not more than 9 of whom belong to the same political party, any appointive state officer shall appear before that branch of the *legislature* to which the petitioning members belong, to answer written and oral interrogatories relative to any matter, function or work of such officer, relative to any act, omission or other matter pertaining to the powers or privileges exercised or duties performed by him or by any employe or subordinate of such officer, relative to the manner, conditions or terms of his appointment or of any appointment made by him or relative to any act, omission or conduct unbecoming the position of any such officer. Such petition shall be in writing, shall be accompanied by written interrogatories, shall be signed by the petitioning members and shall be filed with the *presiding officer* of that branch of the *legislature* to which such petitioning members belong.

(2) Upon the joint petition of 6 *members of the senate*, not more than 4 of whom belong to the same political party, and 17 *members of the assembly*, not more than 9 of whom belong to the same political party, filed with the *presiding officer of the senate*, requesting an examination of any appointive state officer made subject thereto by sub. (1) before a joint session of the 2 *houses of the legislature*, such officer shall appear before such joint session and answer written and oral interrogatories as to any matters included in sub. (1).

13.29 Time for interpellation and procedure. (1) Upon the filing of any petition, under s. 13.28, the *presiding officer* with whom the petition is filed, shall fix a time not later than 20 days after the filing of the petition, for the meeting of that branch of the *legislature*, or the joint session of the *legislature*, as the case may be, before which such interrogation and examination shall be held. A notice of such meeting, together with a copy of the written interrogatories, shall be forthwith delivered to the officer named therein.

(2) The *legislature may adopt rules* to govern such examinations. All proceedings, including all questions and answers, shall be fully recorded and a copy thereof shall be transmitted to the governor within 30 days after the close of the examination.

13.30 State officers; removal by legislature. Any appointive state officer after being examined under ss. 13.28 and 13.29 may be removed by the *legislature by joint resolution* adopted in each *house* by a majority of the members elected to such *house*. The power to remove appointive state officers provided in this section is additional to and shall not be construed as destroying the right of removal by other persons.

13.31 Witnesses; how subpoenaed. The attendance of witnesses before any committee of the *legislature, or* of *either house thereof*, appointed to investigate any subject matter, may be procured by subpoenas signed by the *presiding officer* and chief clerk of the *senate* or *assembly*. Such subpoenas shall

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state when and where, and before whom, the witness is required to appear, and may require such attendance forthwith or on a future day named and the production of books, records, documents and papers therein to be designated, and may also require any officer of any corporation or other person having the custody of the keys, books, records, documents or papers of any such corporation to produce the same before such committee. Such subpoenas may be served by any person and shall be returned to the chief clerk of the *house* which issued the same as subpoenas from the circuit court are served and returned.

13.32 Summary process; custody of witness. (1) Upon the return of a subpoena issued under s. 13.31, duly served, and upon filing with the *presiding officer of the house* from which the subpoena issued a certificate of the chairman of the committee certifying that any person named therein failed or neglected to appear before the committee in obedience to the mandate of such subpoena, summary process to compel the attendance of such person shall be issued.

(2) Such summary process shall be signed by the *presiding officer* and chief clerk of the *house* which issued the subpoena, and shall be directed to the sergeant at arms thereof commanding him "in the name of the state of Wisconsin" to take the body of the person so failing to attend, naming him, and bring him forthwith before the *house* whose subpoena he disobeyed. When so arrested he shall be taken before the committee desiring to examine him as a witness, or to obtain from him books, records, documents or papers for their use as evidence, and when before such committee such person shall testify as to the matters concerning which he is interrogated.

(3) When such person is not on examination before such committee he shall remain in the custody of the sergeant at arms or in the custody of some person specially deputed for that purpose; and the officer having charge of him shall from time to time take him before such committee until the chairman of the committee certifies that the committee does not wish to examine such person further. Thereupon such witness shall be taken before the *house* which issued the summary process and that *house* shall order his release, or may proceed to punish him for any contempt of such *house* in not complying with the requirement of this chapter or of any writ issued or served as herein provided.

13.33 Service of process. Either *house* ordering any summary process may also direct the sergeant at arms to specially depute some competent person to execute the same, and such deputation shall be indorsed on such process in writing over the signature of the sergeant at arms to whom the same is directed. The person so deputed shall have the same power as the sergeant at arms in respect thereto, and shall execute the same according to the mandate thereof, and for that purpose the sergeant at arms or his deputy may call to his aid the power of the county wherein such writ is to be executed the same as the sheriff of such county could do for the purpose of arresting a person charged with crime under process issued by a court of competent jurisdiction; and any sergeant at arms having any person in custody by virtue of any such summary process may depute any other person to have charge of the person so in his custody, and the person so deputed shall have the same power over such person as is conferred upon the sergeant at arms.

13.34 Refusal to testify. Every refusal to testify or answer any question, or to produce keys, books, records, documents or papers before any committee included within s. 13.31 shall be forthwith certified to the proper *house* by the chairman of such committee. Such certificate shall be transmitted, and the person so refusing taken, by the sergeant at arms or one of his assistants, before such *house* to be dealt with according to law.

13.35 Liability of witness. No person who is required to testify before either *house of the legislature* or a committee thereof, or joint committee of the 2 *houses*, and is examined and so testifies, shall be held to answer criminally in any court or be subject to any penalty or forfeiture for any fact or act touching which he is required to testify and as to which he has been examined and has testified, and no testimony so given nor any paper, document or record produced by any such person before either *house of the legislature* or any such committee shall be competent testimony or be used in any trial or criminal proceeding against such person in any court, except upon a prosecution for perjury committed in giving such testimony; and no witness shall be allowed to refuse to testify to any fact, or to produce any papers, documents or records touching which he is examined before either *house* or any such committee, for the reason that the testimony touching such fact, or the production of such papers, documents or records may tend to disgrace him or otherwise render him infamous.

13.36 Witness fees. The compensation of all witnesses who are subpoenaed and appear pursuant to s. 13.31 shall be $2 for each day's attendance and 10 cents per mile, one way, for travel to attend as such witness. The department of administration shall audit the accounts of such witnesses upon the certificate of the chairman of the committee before which any such witness has attended, stating the number of days' attendance and the distance he has traveled, and the accounts so audited shall be paid out of the state treasury and charged to the appropriation for the *legislature*.

13.45 General provisions on legislative committees. (1) TERM; ELIGIBILITY; VACANCIES. (a) Unless otherwise provided by law, the terms of all *legislator* members of committees or other bodies established

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by statute on which there are *legislator* members appointed as are the members of *standing committees* in their respective *houses*, shall expire on the date specified in s. 13.02 (1). *Unless otherwise provided by rule or resolution*, any special legislative committee and the memberships thereof shall expire upon the accomplishment of the purpose for which the committee was created or the termination of the legislative session biennium in which the committee was created.

(b) A *legislator*'s membership, on any committee or other body established by statute to which the *legislator* was appointed by reason of being a *member of the legislature*, terminates when such person ceases to be a *legislator*.

(c) Legislator vacancies on committees or other bodies established by statute, including first appointments upon the creation of such committees or bodies, shall be filled as are original appointments at the commencement of the legislative session biennium.

(2) APPOINTMENTS REPORTED. The chief clerk of each *house* shall file a duplicate of each report required by s. 14.40(6) with the executive secretary of the legislative council.

(3) EXPENSES. (a) For any day for which he does not file a claim under s. 13.123(1), any *legislator* appointed to serve on a legislative committee or a committee to which he was appointed by either *house* or the officers thereof shall be reimbursed from the appropriation under s. 13.123(3) for his actual and necessary expenses incurred as a member of the committee.

(b) Unless otherwise provided by law, any state officer or employe representing his agency as a member of a committee under this chapter shall be reimbursed by his agency for his actual and necessary expenses incurred in the performance of his duties as a committee member.

(c) Unless otherwise provided by law, any member of a committee under this chapter and not covered by par. (a) or (b) shall be reimbursed from the appropriation of the committee of which he is a member for his actual and necessary expenses incurred in the performance of his duties as a committee member.

(4) ORGANIZATION. Unless otherwise provided by law, and except as provided in sub. (4m), every legislative committee or committee on which there are legislative members selected by either *house* or the officers thereof shall:

(a) Elect a chairman, vice chairman and secretary from among its members.

(b) Meet at such times, and at such locations within this state, as the chairman with the consent of the members announces.

(c) Maintain its office in the capitol.

(d) Maintain a written record of its proceedings.

(e) Submit a written report of its findings, conclusions and recommendations to the governor and *legislature* on or before May 1 of each odd-numbered year.

(4m) COCHAIRMEN OF JOINT LEGISLATIVE COMMITTEES. Every joint standing, statutory, special or other joint committee shall be chaired jointly by a *senator* and a *representative to the assembly* appointed as are other members of the joint committee.

(5) RULES OF PROCEDURE; QUORUM. Unless otherwise provided by law, every legislative committee or committee on which there are legislative members selected by either *house* or the officers thereof may adopt such rules for the conduct of its business as are necessary, but a majority of the members appointed to a committee shall constitute a quorum to do business and a majority of such quorum may act in any matter within the jurisdiction of the committee.

(6) COMMITTEEMEN MAY ADMINISTER OATHS. Any *senator* or *representative to the assembly*, while acting as a member of a legislative committee, may administer oaths to persons to be examined before such committee.

(7) CO-OPERATION OF STATE AGENCIES. The departments, officers and employes of Wisconsin state government, and the governing bodies of the political subdivisions of this state, shall assist legislative committees in the completion of their tasks. They shall provide legislative committees with ready access to any books, records or other information relating to such tasks. Upon request by legislative committees, and within the limits of existing appropriations, departments of state government shall supply such specialized staff assistance as a legislative committee may require.

13.46 Majority and minority parties. Wherever any law or legislative rule refers to the majority party or minority party, "majority party" means the political party in each *house of the legislature* which has the most members and "minority party" means the political party in each *house* which has the 2nd most members. Any reference to the "2 major political parties" means the majority party and the minority party in each *house*. Any reference to "*majority leader*" or "*minority leader*" means the leader elected by the majority party and minority party, respectively, in each *house*.

13.47 Legislative state supported programs study and advisory committee. There is created a joint legislative state supported programs study and advisory committee, consisting of 5 *senators* and 6 *representatives to the assembly*, appointed as are the members of *standing committees* in their respective *houses*. The 2 major political parties shall be represented in the membership from each *house*.

(1) MEETINGS. The committee shall meet when the *legislature* is not in actual session.

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(2) DUTIES OF THE COMMITTEE. The committee, in groups or individually as assigned by the cochairmen with the consent of the committee, shall visit all institutions and office buildings owned or leased by the state and the capitol building and inspect the grounds and the buildings thereon. Each member shall participate in the groups to which he or she is assigned, but if the appointed member of the state building commission is unable to participate in a specific visit he or she shall appoint an alternate member, selected from his or her *house of the legislature*, to participate in his or her place. It shall thoroughly inspect the state buildings or grounds and shall have free access to any part of such state buildings or the surrounding grounds and all persons therein in order to make such examination as it sees fit of the conditions found.

(3) VISITS TO INSTITUTIONS RECEIVING STATE FUNDS. The committee, in groups or individually as assigned by the cochairmen with the consent of the committee, may visit any institution, program or organization in this state in which the state directly or indirectly has provided financial support. Upon request of the committee, any such institution, program or organization *shall allow the committee to examine its records*.

13.48 Long-range public building program.

(2) BUILDING COMMISSION; POWERS AND DUTIES. (a) There is created a building commission consisting of the governor, who shall serve as chairperson, and 3 *senators* and 3 *representatives to the assembly* appointed as are the members of *standing committees* in their respective *houses*. The 2 major political parties shall be represented in the membership from each *house*. One *legislator* from each *house* shall be a member of the state supported programs study and advisory committee created by s. 13.47. One citizen member shall be appointed by the governor to serve at the governor's pleasure. The secretary, head of the engineering function, and ranking architect of the department of administration shall be nonvoting advisory members. The members shall be liable only for misconduct. Nonlegislator members of the commission shall be reimbursed for actual and necessary expenses, incurred as members of the commission, from the appropriation under s. 20.505.

(e) 1. The commission shall report to the *legislature* at each regular session the progress on projects authorized in the 2 preceding and current biennia including the total project budget, the encumbrance and expenditure to date, and the unencumbered balance remaining for each project. Such report shall either be made as part of the biennial building program or shall accompany same.

2. It is the intent of the *legislature* that it be given a complete picture of the results of its past decisions regarding the state's building program which will serve as background for making further decisions.

(3) STATE BUILDING TRUST FUND. In the interest of the continuity of the program, there shall be appropriated from the general fund to the state building trust fund as a nonlapsing building depreciation reserve, on July 1, 1965, and annually thereafter, a sum equal to 1-1/2% of the value of all state buildings, structures, utility plants and equipment therein excepting those under the jurisdiction of the department of transportation, as appraised by the department of administration in each even-numbered year. Such appraisal shall be an estimate of the cost of reproduction of such buildings, structures and facilities, and shall be certified by the department of administration not later than November 20 of each even-numbered year to the incoming governor who shall include the sums so to be transferred in the budget. Such sums, together with all donations, gifts, bequests or contributions of money or other property and any additional appropriations or transfers made thereto by the *legislature*, shall constitute the state building trust fund. At such times as the commission directs, or in emergency situations pursuant to s. 16.855 (16), the governor shall authorize releases from this fund to become available for projects and shall direct the department of administration to allocate from this fund such amounts as are approved for these projects. In issuing such directions, the commission shall consider the cash balance in the state building trust fund, the necessity and urgency of the proposed improvement, employment conditions and availability of materials in the locality in which the improvement is to be made. The commission may authorize any project amounting to $250,000 or less in accordance with priorities to be established by the commission and may adjust the priorities by deleting, substituting or adding new projects as needed to reflect changing program needs and unforeseen circumstances. The commission may enter into contracts for the construction of buildings for any state agency and shall be responsible for accounting for all funds released to projects. The commission may designate the department of administration or the agency for which the project is constructed to act as its representative in such accounting.

13.49 Joint survey committee on debt management. (1) CREATION. There is created a joint survey committee on debt management composed of 9 members, as follows:

(a) Three *senators* and 3 *representatives to the assembly* selected as are *standing committee* members of the respective *houses*, except that one member of each *house* shall also be a member of the state building commission and one member of each *house* shall also be a *member of the joint committee on finance*. The 2 major political parties shall be represented in the membership from each *house*.

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(b) Three members to be selected by the governor, at least 2 of which shall be experienced in or familiar with public debt management, public finance or municipal bond underwriting. Public members shall be reimbursed for actual and necessary expenses incurred as members of the committee from the appropriation made by s. 20.505 (1) (a).

(2) OFFICERS. The officers of the committee shall be a *senate* chairperson and vice chairperson, an *assembly* chairperson and vice chairperson and a secretary. The *senate* chairperson and vice chairperson shall be selected as are chairpersons and vice chairpersons of *senate standing committees*. The *assembly* chairperson and vice chairperson shall be appointed by the *speaker*. The *senate* chairperson or the *assembly* chairperson shall preside, respectively, over the meetings of the committee depending on which *house of the legislature* referred the proposal then under consideration to the committee. The secretary shall be elected by the committee from among its non *legislator* members.

(3) TERM. Appointments shall be made at the commencement of each term of the *legislature* and each member shall serve until a successor is appointed and qualified. Any member shall cease to be a member upon losing the status upon which the appointment is based. Vacancies shall be filled as are original appointments.

(4) COMMITTEE ACTION. All actions of the committee shall require the approval of a majority of all the members.

(5) POWERS AND DUTIES. It is the purpose of this committee to advise the *legislature* on matters regarding the coordination of activities of state agencies and independent state authorities issuing debt and revenue obligations or using the proceeds of such obligations. To this end the committee shall:

(a) Determine the desirable amounts and forms of debt and revenue obligations to be authorized and the financial condition of each state agency or independent entity issuing debt and revenue obligations.

(b) Review all legislative proposals which affect any existing statute relating to the issuing of debt and revenue obligations or the use of the proceeds of such obligations and advise the *legislature* regarding such proposals.

(c) Review all legislative proposals which would amend any existing statutes or create new statutes relating to the authority of an independent entity to issue debt or revenue obligations or which would create a new authority with such powers.

(d) Review the operational relationships between independent authorities, both existing and proposed, and any state agencies having program responsibilities in the same programmatic area.

(e) Hold hearings as necessary to elicit information required to make its reports.

(f) Make investigations as required to carry out the duties assigned to it.

(g) Require each agency or independent entity authorized to issue debt or revenue obligations to submit financial plans or reports as necessary to carry out the duties assigned to it.

(h) Prepare such long-term financial plans relating to state debt, revenue obligations and other indirect debt as the committee determines may be in the best interests of the state.

(6) REPORT. Upon the introduction in either *house of the legislature* of any proposal which affects any existing statute or creates any new statute relating to the authorization to issue state debt or revenue obligations as set forth in ch. 18, debt of independent state authorities, whether or not debt so to be issued contains a pledge of the state's moral obligation to repay, or for the authorization of new entities whether they are to be departments or agencies of the state or are to be independent thereof, but having the power to issue debt to finance a statewide public purpose, shall at once be referred to the committee by the *presiding officer* instead of to a *standing committee*. The proposal shall not be considered further by either *house* until the committee has submitted a report, in writing, setting forth an opinion on the fiscal effect upon the state or local government, the effect upon the state's and local governments' ability to issue debt and revenue obligations, the appropriateness of the proposal in relation to the state's and local governments' debt policies and the desirability of the proposal as a matter of public policy and the report has been printed as an appendix to the bill and attached to the bill as are amendments. Such printing shall be in lieu of inclusion in the daily journal of the *house* in which the bill was introduced.

(7) STAFF; COOPERATION OF STATE AGENCIES. The committee may employ such personnel as are required for the performance of its duties. Any intermittent employment of professional, technical or research personnel may be made outside the classified service. The legislative fiscal bureau, legislative council and the departments of administration, justice, local affairs and development, and revenue shall provide assistance to the committee in the performance of its duties and representatives of each department shall attend all meetings of the committee.

(8) AUTHORITY. Nothing in this section shall be construed to supersede the authority by statute of the building commission or any other state department or agency in carrying out program responsibilities for which public debt has been *authorized by the legislature*.

13.50 Joint survey committee on retirement systems. (1) CREATION. There is created a joint survey committee on retirement systems composed of 10 members, as follows:

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(a) Two majority party *senators*, one minority party *senator*, 2 majority party *representatives to the assembly* and one minority party *representative to the assembly*, appointed as are the members of *standing committees* in their respective *houses*.

(b) An assistant attorney general to be appointed by the attorney general.

(c) A member of the public to be selected by the governor.

(d) The commissioner of insurance or an experienced actuary in his office designated by him.

(e) The secretary of employe trust funds.

(1m) OFFICERS. The officers of this committee shall be a *senate* cochairperson and vice cochairperson, and an *assembly* cochairperson and vice cochairperson selected as are the officers of *standing committees* in their respective *houses*, and a secretary elected by the committee from among its non *legislator* members.

(2) TERMS OF COMMITTEE. Each appointment under sub. (1) (a), (b) and (c) shall be for a period of 4 years and until a successor is appointed and qualified. Any member shall cease to be a member of the committee upon losing the status upon which the appointment was based.

(3) MEMBERSHIP COMPATIBLE WITH OTHER PUBLIC OFFICE. Membership on the committee shall not be incompatible with any other public office.

(4) STAFF. The committee shall, under the classified service, employ a research director and such staff as is required for the performance of its duties, it being the determination of the *legislature* that such research director is more readily obtainable under s. 230.15 (2). The committee may employ or contract for actuarial and technical assistance outside the classified service.

(5) COMMITTEE ACTION. All actions of the committee shall require the approval of a majority of all the members.

(6) POWERS AND DUTIES. The committee shall have the following powers and duties:

(a) No bill or amendment thereto creating or modifying any system for, or making any provision for, the retirement of or payment of pensions to public officers or employes, shall be acted upon by the *legislature* until it has been referred to the joint survey committee on retirement systems and such committee has submitted a written report on the proposed bill. Such report shall pertain to the probable costs involved, the effect on the actuarial soundness of the retirement system and the desirability of such proposal as a matter of public policy.

(b) No bill or amendment thereto creating or modifying any system for the retirement of public employes shall be considered by either *house* until the written report required by par. (a) has been submitted to the chief clerk. Each such bill shall then be referred to a *standing committee of the house* in which introduced. The report of the joint survey committee shall be printed as an appendix to the bill and attached thereto as are amendments.

(c) 1. Whenever a public employe qualifies for membership in the Wisconsin retirement fund or the state teachers retirement system, but a question or dispute arises as to which of the 2 retirement systems he should be a member of, a petition may be filed with the committee requesting that the committee determine in which of said systems such person is eligible for membership. The petition may be made by the public employe, his employer, the Wisconsin retirement fund board, the state teachers retirement board or the department of administration.

2. Upon the filing of any such petition the committee shall investigate the facts of the case and make its decision on the basis of such facts and the applicable statutes. The committee may conduct a hearing on any such petition if it deems such hearing necessary. The committee shall render its decision in writing, briefly stating the reasons therefor or referring to previous decisions.

3. The committee shall furnish a copy of such decision to the petitioner, the Wisconsin retirement fund board and the state teachers retirement board. To the extent possible such decisions may be followed as precedents applicable to similar cases. The decisions of the committee under this paragraph may be reviewed under ch. 227. In the absence of such review the decision of the committee shall be followed by said boards.

4. If the duties of the position of any such public employe include both teaching and the performance of other services, the committee shall make its determination according to the type of activity which occupies the majority of the working time of the employe.

5. A public employe who is a member of the Wisconsin retirement fund or the state teachers retirement system on July 19, 1957, shall remain a member of such fund or system, if he continues to occupy the same position, and the procedure set forth in this paragraph shall not apply to such member.

13.51 Retirement research committee. (1) CREATION. There is created a broadly representative retirement research committee for the purpose of providing a continuous review and study of the retirement benefits afforded by the state and to allocate adequate study to the complexities of modern retirement programs. The officers and staff of the joint survey committee on retirement systems under s. 13.50 shall be the officers of the retirement research committee. Any 8 members of the committee shall constitute a quorum. The staff of the joint survey committee under s. 13.50 shall assist the committee in the performance of its functions.

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(2) MEMBERS. (a) The members of the joint survey committee on retirement systems.

13.52 Joint survey committee on tax exemptions. (1) CREATION. There is created a joint survey committee on tax exemptions composed of 9 members, as follows:

(a) Two majority party *senators*, one minority party *senator*, 2 majority party *representatives to the assembly* and one minority party *representative to the assembly*, selected as are the members of *standing committees* in their respective *houses*;

(b) A representative of the department of justice selected by the attorney general;

(c) The secretary of revenue or his designated representative; and

(d) A public member, selected by the governor by January 15 of each odd-numbered year, who is familiar with the tax problems of subordinate levels of government throughout the state.

(1m) OFFICERS. The officers of this committee shall be a *senate* chairman and vice chairman, an *assembly* chairman and vice chairman and a secretary. The *senate* chairman and vice chairman shall be selected as are chairmen and vice chairmen of *senate* committees. The *assembly* chairman and vice chairman shall be appointed by the *speaker*. The secretary shall be elected by the committee from among its non*legislator* members.

(2) VACANCIES. Vacancies shall be filled as are original appointments.

(3) TERM. The terms of all members shall expire on January 15 of the odd-numbered years, and each member shall serve until his successor is appointed and qualified. Any member shall cease to be a member upon losing the status upon which the appointment is based.

(4) COMMITTEE ACTION. All actions of the committee shall require the approval of a majority of all the members.

(5) POWERS AND DUTIES. It is the purpose of this committee to provide the *legislature* with a considered opinion of the legality of the proposal, of the fiscal effect upon the state and its subdivisions and of the desirability as a matter of public policy of each legislative proposal which would modify existing laws or create new laws relating to the exemption of property or persons from any state or local taxes or special assessments. To this end the committee shall:

(a) Make such investigations as are required to carry out the duties assigned to it.

(b) Hold such hearings as are required to elicit information required to make its reports. Any member is empowered to administer oaths and examine witnesses. By subpoena, issued over the signature of the cochairmen and served in the manner in which circuit court subpoenas are served, it may summon and compel the attendance of witnesses and the production of records necessary or convenient to be examined or used by them in carrying out their functions. Any subpoenaed witness who fails to appear, refuses to answer inquiries, or fails or refuses to produce records within his or her control when demanded shall be reported by the committee to the circuit court of Dane county, whose duty it is to compel obedience to any such subpoena by attachment proceedings for contempt as in case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(6) REPORT. Upon the introduction in either *house of the legislature* of any proposal which affects any existing statute or creates any new statute relating to the exemption of any property or person from any state or local taxes or special assessments, such proposal shall at once be referred to the joint survey committee on tax exemptions by the *presiding officer* instead of to a *standing committee*, and such proposal shall not be considered further by either *house* until the joint survey committee on tax exemptions has submitted a report, in writing, setting forth an opinion on the legality of the proposal, the fiscal effect upon the state and its subdivisions and its desirability as a matter of public policy and such report has been printed as an appendix to the bill and attached thereto as are amendments. Such printing shall be in lieu of inclusion in the daily journal of the *house* in which the bill was introduced.

(7) STAFF. The committee may employ such personnel as are required for the performance of its duties. Any intermittent employment of professional, technical or research personnel may be made outside the classified service.

13.53 Joint legislative audit committee. (1) CREATION. There is created a joint audit committee consisting of 2 majority and 2 minority party *senators* and 2 majority and 2 minority party *representatives to the assembly*, appointed as are the members of *standing committees* in their respective *houses*. In making the appointments, each *house* shall designate a cochairperson. The committee shall be staffed as are other *standing committees of the legislature*. The committee shall meet as often as necessary to perform its duties and functions.

(2) RESPONSIBILITIES. The joint legislative audit committee shall have advisory responsibilities for the legislative audit bureau. The committee's responsibility is subject to general supervision of the *joint committee on legislative organization*. The joint legislative audit committee may:

(a) Evaluate the qualifications of the candidates for the position of state auditor and make recommendations to the *joint committee on legislative organization*.

(b) Study and review the postaudit or other reports submitted by the legislative audit bureau, confer with the state auditor and assistants and with other legislative committees in regard to such reports and, when necessary, confer with representatives of the state agency audited in order to obtain

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full and complete information in regard to any fiscal transactions and governmental operations within the state.

(c) Refer to the *legislature* or to an *appropriate standing committee* information that, in its opinion, warrants action by the *legislature* or by the committee. It may request from a *standing committee* information on such action as is taken. The committee shall seek the advice of the *appropriate standing committees* with respect to the program portion of an audit relating to a state department or agency which is within the purview of such committee.

(3) POSTAUDIT REPORT CONSIDERATION. (a) In any instance in which a postaudit report of the legislative audit bureau cites cases of improper payments; inadequate accounting, operating, or administrative system controls, procedures, or related records; inaccuracies; waste or extravagance; unauthorized or unintended activities or programs; or other deficiencies required by statute to be reported, the head of the state department or agency to which the audit report pertains shall, within a time period specified by the committee, advise the cochairpersons of the committee, the chairperson of the *joint committee on legislative organization* and to each *appropriate standing committee* of any remedial actions taken or to be taken on matters cited in the report. Where such advice is not forthcoming from the head of the state department or agency within the time period specified by the committee, or where the committee determines that suitable action has not been taken, the committee may report the matter immediately to the *joint committee on legislative organization* and to each *appropriate standing committee*.

(b) The committee may, in any case, propose specific corrective action to remedy undesirable practices, including changes in applicable laws, rules and procedures, but with respect to the program portion of audit, it shall first seek the advice of the *appropriate standing committees* which have purview over the state department or agency under review. If the committee introduces a bill, it shall be referred to the *appropriate standing committee*. The *appropriate standing committees* may propose corrective legislation wherever they find that the program portion of the audit indicates that a law is not being implemented in the manner intended by the *legislature* when the law was enacted.

(c) Each *appropriate standing committee*, and the joint legislative audit committee, may hold a hearing on the contents of a postaudit report by the legislative audit bureau. An *appropriate standing committee* may request the joint legislative audit committee to hold such a hearing. Nothing in this paragraph precludes joint hearings by 2 or more committees.

(4) FISCAL AND PERFORMANCE EVALUATIONS. The committee may at any time, without regard to whether the *legislature* is then in session, request the *joint committee on legislative organization* to investigate any matter within the scope of a postaudit completed or being conducted by the legislative audit bureau. It may also request investigation and consideration of any matter relative to the expenditures and revenues as well as the fiscal and performance activities of state departments and agencies pursuant to the objectives of the committee and the legislative audit bureau.

(5) INTERFERENCE; SPECIAL DUTIES. No member of the joint legislative audit committee, the *joint committee on legislative organization* or other *member of the legislature* may interfere in any way with the state auditor in the conduct of audit examinations. The state auditor shall carry out the auditor's professional responsibilities in accordance with accepted professional auditing standards and shall conduct examinations within the framework of the ethics of the auditing profession. This subsection does not preclude an individual *legislator*, a *standing committee* or the joint legislative audit committee from requesting the *joint committee on legislative organization* to direct the state auditor to undertake specific audits. All such requests shall be reviewed by the *joint committee on legislative organization* before such committee directs the state auditor to conduct such audits. The *joint committee on legislative organization* may consult with the joint legislative audit committee and the legislative audit bureau prior to giving its directions to the state auditor. Nothing in this subsection precludes the *joint committee on legislative organization* from instructing the state auditor to undertake examinations of specific activities when such committee deems it to be necessary.

13.54 Interstate cooperation commission. (1) CREATION. There is created a commission on interstate cooperation in the legislative branch to consist of the governor or the governor's designee, the lieutenant governor, the *speaker of the assembly*, the *president pro tempore of the senate*, the *majority leader* and the *minority leader* of each legislative *house*, 3 *senators* and 3 *representatives to the assembly* appointed as are the members of *standing committees* in their respective *houses*, the executive secretary of the legislative council, the chief of the legislative reference bureau, and 2 state officials to be appointed by the governor. If the *joint committee on legislative organization* approves, each *legislator* member may name another *legislator* of his or her *house* and political party to serve on the interstate cooperation commission in his or her place as an alternate voting member. Subject to s. 14.40 (6), alternates for specific meetings may be chosen as are persons to fill vacancies, and their terms shall expire when their missions are accomplished.

(2) DUTIES. The commission on interstate co-operation shall:

(a) Carry forward the participation of this state as a member of the council of state governments.

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(b) Encourage and assist the legislative, executive and judicial branches of this state to develop and maintain friendly relations by correspondence, by conference, or otherwise, with officials and employes of other states, the federal government, and units of local government.

(c) Promote co-operation between this state and other units of government whenever it seems advisable to do so by formulating proposals for, and by facilitating the adoption of compacts, the negotiation of uniform or reciprocal agreements, either for administrative rules and regulations or for the co-operation of governmental officials, and any other suitable process, and all such acts as will, in the opinion of this commission, enable this state to do its proper part in forming a more perfect union among the various governments in the United States.

(d) Designate by its chairman one or more of its members or other state officials to represent this state in conference with officials of other states or units of government for the purposes set forth in par. (c). Each such conference shall be fully reported to the commission, which shall in turn make reports of such conferences to the governor and to the *legislature*. The commission shall prepare and submit a report of its activities and recommendations to the governor and to the *legislature* within 15 days after the convening of each regular legislative session and at such other times as it deems appropriate.

(3) REVIEW POWERS. (a) The commission on interstate cooperation shall act as a central repository for all interstate compacts to which this state or any department or agency thereof is or may be a party. The commission, with the cooperation of those officials appointed to represent Wisconsin in the administration and operation of each compact, shall maintain a continuing review of effect, cost and operation of each compact. The commission shall advise the governor and *legislature* of any recommendations in regard to any compact. The commission shall study and interpret the effect of all proposed interstate compacts and all bills dealing directly with the relations between this state and the federal government, except those dealing with highways, motor vehicles and similar transportation matters which shall be reviewed by the *standing committees* on highways or transportation of the respective *houses*, or by the corresponding committee of the legislative council. Proposed interstate compacts dealing with other than transportation matters shall be referred to the commission by the *house* in which they are introduced in the *legislature*. Legislative proposals which only in part relate to interstate or state-federal relations may be similarly referred. The commission shall make its report to the governor or the *legislature*, in regard to the need for any legislative or administrative action, before this state or any department or agency thereof enters into such compacts or relations. The commission may delegate responsibility of review and advisement as to any active or proposed interstate compact to the proper standing or interim legislative committee, and the compact administrators, officials, delegation or proponents shall cooperate with the committee so designated. Administrators, officials or the chairmen of the state delegation appointed to represent Wisconsin in the administration of interstate compacts shall be responsible for filing with the commission a copy of all minutes, reports, publications and other papers prepared in the administration and operation of the compacts.

(b) 1. The commission shall compile and keep current a list of all interstate compacts having the force of law to which this state or any department or agency thereof is a party. The list shall cite laws or official documents of this state containing the text of any interstate compact together with a listing of all other parties to each compact; the date on which each party entered into the compact with this state or any department or agency thereof; the status of each compact in respect to withdrawals therefrom; and citations to any act or resolution of the congress of the United States consenting to any compact. In addition, the list shall include the names, addresses and terms of office of the interstate compact administrators, officials or members of the governing body who represent Wisconsin in the administration of each compact. The list required to be kept under this paragraph also shall include interstate compacts adopted by this state or any department or agency thereof but not in effect by reason of the absence of such other parties thereto as may be necessary to make the compact effective and binding, and all other interstate compacts which are no longer in active operation due to the completion of the purpose for which they were intended but which must be retained in force as a permanent record thereof.

2. In any case where the laws of this state do not contain the full text of a compact to which subd. 1 applies, the commission shall secure a true copy of the interstate compact and keep the same on file.

3. Any amendment, supplementary agreement or administrative rule or regulation having the force of law implementing or modifying any compact to which this state or any department or agency thereof is a party shall be listed or filed in the same manner as the compact itself.

4. The commission shall make the list maintained by it pursuant to this act and any information contained therein available to any person on request but shall not be required to furnish copies of any compact unless so required by law or administrative rule other than this act.

(c) The listing and filing requirements of this section shall be in addition to and not in substitution for any requirements for listing or filing, publication or distribution contained in particular compacts to which this state or any department or agency thereof is or may be a party.

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(4) CONTINGENT EXPENSES. Expenditures for contingent expenses of the commission, under s. 20.765 (2) (ca), shall be at the discretion of the commission, but a statement of all such expenditures shall be rendered to the *legislature* at the beginning of each regular session.

13.55 Commission on uniform state laws. (1) CREATION. There is created a 5-member commission on uniform state laws to advise the *legislature* with regard to uniform laws and model laws. The commission shall consist of the executive secretary of the legislative council or a professional employe of the legislative council designated by the executive secretary, the chief of the legislative reference bureau or a professional employe under s. 13.92 (1) (b) designated by him, the revisor of statutes, and 2 members of the Wisconsin bar appointed by the governor for 4-year terms. The ex officio members may each designate an employe to represent them at any meeting of the conference under sub. (3).

(2) QUORUM; SCHEDULED MEETINGS. Any 3 members of the commission shall constitute a quorum. The commission shall meet at least once every 2 years.

(3) NATIONAL CONFERENCE. Each commissioner may attend the annual meeting of the conference of commissioners on uniform state laws; and shall examine subjects on which uniformity of legislation is desirable; ascertain the best methods to effect uniformity; cooperate with commissioners in other states in the preparation of uniform acts; and prepare bills adapting such uniform acts to the Wisconsin statutes, for introduction in the *legislature*.

(4) REPORT. The commission shall make a biennial report to the joint legislative committee on revisions, repeals and uniform laws.

13.56 Joint committee for review of administrative rules. (1) CREATION. There is created a *joint committee for review of administrative rules*, consisting of 5 *senators* and 5 *representatives to the assembly* appointed as are the members of *standing committees* in their respective *houses* from the majority and minority political parties in each *house*. In making the appointments, each *house* shall designate a cochairperson. The committee shall meet at the call of one of its cochairpersons.

(2) REVIEW OF RULES BY COMMITTEE. The committee shall promote adequate and proper rules, statements of general policy and interpretations of statutes by agencies and an understanding upon the part of the public respecting such rules, statements and interpretations. When the committee determines that a statement of policy or an interpretation of a statute is a rule, as defined in s. 227.01 (9) and (11), it may direct the agency to promulgate the statement or interpretation as an emergency rule pursuant to s. 227.027 within 30 days of the committee's action. It may hold public hearings to investigate complaints with respect to rules and portions of rules if it considers such complaints meritorious and worthy of attention and may, on the basis of the testimony received at such public hearings, suspend any such rule or portion of a rule by the affirmative vote of at least a majority of the members present. When the committee suspends a rule or portion of a rule, it shall give a class 1 notice, under ch. 985, of the suspension in the official state newspaper and such other notice as it deems appropriate. If any rule or portion of a rule is so suspended, the committee shall as soon as possible place before the *legislature*, at any regular session and at any special session upon the consent of the governor, a bill to repeal the suspended rule or portion of a rule. If such bill is defeated, or fails of enactment in any other manner, the rule or portion of a rule shall stand and the committee may not suspend it again. If the bill becomes law, the rule or portion of a rule is repealed and shall not be enacted again unless a properly enacted law specifically authorizes the adoption of that rule. The committee shall make a biennial report to the *legislature* and governor of its activities and include therein its recommendations.

(3) PUBLIC HEARINGS BY STATE AGENCIES. By a vote of a majority of its members, the committee may require any agency, as defined in s. 227.01 (1), issuing rules to hold a public hearing in respect to recommendations made pursuant to sub. (2) and to report its action to the committee within such time as specified by the committee. Such agency shall give a class 1 notice, under ch. 985, of the hearing in the official state newspaper and such other notice as the committee directs. The hearing shall be conducted in accordance with s. 227.022 and shall be held not more than 60 days after receipt of notice of such requirement.

(4) PARTICIPATION IN CERTAIN PROCEEDINGS. The cochairpersons on the *joint committee for review of administrative rules* or their deisgnated agents shall accept service made under ss. 227.05 (5) and 806.04 (11). If the committee determines that the *legislature* should be represented in the proceeding, it shall request the *joint committee on legislative organization* to designate the *legislature*'s representative for the proceeding. The costs of participation in the proceeding shall be paid from the appropriation under s. 20.765 (1) (a), except that such costs incurred by the department of justice shall be paid from the appropriation under s. 20.455 (2) (d).

13.565 Legislative approval of certain rules. (1) Except as provided under s. 144.25 (3) (b) 1, prior to adopting any rule relating to animal waste treatment, the state agency proposing the rule shall submit it to a *senate* and an *assembly* committee dealing with agriculture. The committees shall hold a public hearing to review the proposed rule. The rule *shall take effect only upon approval by a joint resolution* of the *legislature*.

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(2) Prior to adopting any rule relating to the priority system for removal or relocation of highway signs under s. 84.30 (14), the state agency proposing the rule shall submit it to a *senate* and an *assembly* committee dealing with tourism. The committees shall hold a public hearing to review the proposed rule and the rule shall take effect only upon approval by both committees.

(3) (a) Prior to the establishment of any rules relating to the hazardous waste management program under ch. 144, this subsection shall be complied with.

(b) *Role of legislative council.* Prior to any public hearing on a proposed rule, or if no public hearing is required, prior to notification of the *standing committees*, the department shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the department and the revisor to:

1. Review the statutory authority under which the department intends to adopt the rule. The legislative council shall notify the department, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

2. Ensure that the procedures for the promulgation of a rule required by this subsection and ch. 227 are followed.

3. Review proposed rules for form, style and placement in the administrative code.

4. Review proposed rules to avoid conflict with or duplication of existing rules.

5. Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

6. Streamline and simplify the rule-making process.

7. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

8. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(c) *Legislative council to assist standing committees.* The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the department submits.

(d) *Notification of standing committees.* The department shall notify *appropriate standing committees* when proposed rules are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The department may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

(e) *Form of notice.* The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(f) *Standing committee review.* 1. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the department to attend the meeting and hold public hearings to review the proposed rule.

2. The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the department to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

3. The department may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

4. Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the department may promulgate the rule.

(g) *Joint committee for the review of administrative rules.* 1. If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules*.

2. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

3. The department may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or until the bill in subd. 5 fails of enactment. The department may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

4. The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the department for further consideration or public hearings or both. If the joint committee disapproves a

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proposed rule, the department may not promulgate the proposed rule until the bill in subd. 5 fails of enactment.

5. When the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the committee shall as soon as possible place before the *legislature*, a bill to support the disapproval. If such bill is defeated, or fails of enactment in any other manner, the proposed rule or portion of the proposed rule may be promulgated. If the bill becomes law, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

(h) *Emergency rules.* This subsection does not apply to emergency rules adopted under s. 227.027.

13.57 National conference of state legislatures. (1) The legislative delegates to the national conference of *state legislatures* shall be designated by the committee on *senate organization* for the *senate* and by the *speaker* for the *assembly*. Vouchers to reimburse the actual and necessary expenses of the delegates to the conference shall be certified by the chairman of the committee on *senate organization* for the *senate* and by the *speaker* for the *assembly*.

(2) Officers or employes under this chapter may be designated as delegates to the conference by the appropriate legislative officer or as provided by the appropriate governing body. Vouchers to reimburse the actual and necessary expenses of these delegates to the conference shall be certified by the chairman of the appropriate governing body or by the appropriate legislative officer.

(3) All expenses under sub. (1) shall be reimbursed from the appropriation under s. 20.765 (1) (a).

13.62 Definitions. In this subchapter:

(8) "Legislative action" means the drafting, introduction, consideration, modification, adoption, rejection, enactment or defeat of any bill, resolution, amendment, report, nomination or other matter *by the legislature or by either house* or any committee, subcommittee, joint or select committee thereof, or by a *legislator* or employe of the *legislature* acting in an official capacity. "Legislative action" also means the action of the governor in approving or vetoing any bill or portion thereof, and the action of the governor or any agency in the development of a proposal for introduction in the *legislature*.

(9) "Legislative official" means any employe or consultant of the *legislature* whose duties are not solely secretarial, protective, clerical or manual.

(10) "Lobbying" means the practice of attempting to influence legislative or administrative action by direct oral or written communication with any elective state official, agency official or legislative official.

13.625 Prohibited practices. (1) No lobbyist may:

(c) Except as provided in this paragraph, make a campaign contribution, as defined in s. 11.01 (5), to any candidate for an elective state office to be filled at the general election, or such candidate's personal campaign committee, as defined in s. 11.01 (15). Campaign contributions to such candidates or personal campaign committees may be made in the year of a candidate's election between June 1 and the day of the general election except that campaign contributions to candidates for legislative office may be made during such period only if the *legislature* is not in session or, if in session, has recessed. This paragraph does not apply to campaign contributions by a lobbyist to his or her campaign for elective state office, nor to any lobbyist who only attempts to influence administrative action.

13.66 Restrictions on practice of lobbying.

(2) Before or within 5 days after delivering any written or printed statement, argument or brief to the entire membership of either or both *houses of the legislature*, 3 copies shall be deposited with the secretary of state.

13.685 Duties of the secretary of state.

(5) The secretary of state may bring civil actions to require forfeitures and license revocations for violations of this subchapter. Pursuant to such authority, the secretary of state is authorized to compromise and settle any civil action brought by him or her under this subchapter which, in the opinion of the secretary of state, constitutes a minor violation caused by excusable neglect, or which for other good cause shown, should not in the public interest be prosecuted under this subchapter. Notwithstanding s. 288.06, an action may be settled for such sum as may be agreed upon between the parties. Actions by the secretary of state shall be brought in the circuit court for the county wherein the violation is alleged to occur. The secretary of state shall file a report of all civil actions brought by him or her under this subsection and the disposition of those actions to the *appropriate standing committees* of each *house of the legislature*, as determined by the *presiding officer*, on March 1 and September 1 of each year.

(7) Beginning with the 3rd Tuesday following the beginning of any regular or special session of the *legislature* and on every Tuesday thereafter for the duration of such session, the secretary of state shall from his or her records report to each *house of the legislature* the names of lobbyists registered under s. 13.64 and the names of officers and employes of agencies filed under s. 13.695 who were not previously

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reported, the names of the principals or agencies whom they represent and the general areas of legislative and administrative action which are the object of their lobbying activity. Such reports shall be incorporated into the journal of the *senate* and a copy filed in the office of the chief clerk of the *assembly*. The secretary of state shall also notify each *house* that a copy of each statement which is required to be filed under ss. 13.68 and 13.695 is available upon request. Such copy shall be open to public inspection but shall not be incorporated in the journal unless the *house* so orders. The secretary of state shall include in his or her biennial report under s. 15.04 (4), a summary of the statements he or she has received under ss. 13.68 and 13.695.

(8) This subsection does not apply to emergency rules adopted under s. 227.027.

(a) *Role of legislative council.* Prior to any public hearing on a proposed rule under this section, or if no public hearing is required, prior to notification of the *standing committees*, the secretary of state shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the secretary of state and the revisor to:

1. Review the statutory authority under which the secretary of state intends to adopt the rule. The legislative council shall notify the secretary of state, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

2. Ensure that the procedures for the promulgation of a rule required by this chapter are followed.

3. Review proposed rules for form, style and placement in the administrative code.

4. Review proposed rules to avoid conflict with or duplication of existing rules.

5. Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

6. Streamline and simplify the rule-making process.

7. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

8. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(b) *Legislative council to assist standing committees.* The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the secretary of state submits under this section.

(c) *Notification of standing committees.* The secretary of state shall notify *appropriate standing committees* when proposed rules under this section are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The secretary of state may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

(d) *Form of notice.* The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(e) *Standing committee review.* 1. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the secretary of state to attend the meeting and hold public hearings to review the proposed rule.

2. The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the secretary of state to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

3. The secretary of state may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

4. Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the secretary of state may promulgate the rule.

(f) *Joint committee for the review of administrative rules.* 1. If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules*.

2. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

3. The secretary of state may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or unless a law is properly enacted under subd. 5. The secretary of state may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

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4. The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the secretary of state for further consideration or public hearings or both.

5. If the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

13.695 Legislative activities of state agencies.

(3) Any officer or employe of an agency who attempts to influence legislative action which affects the financial interests of such employe, other than a regular or periodic adjustment in salary, wages or other benefits paid by the state, shall disclose the nature of such interest to any member or employe of the *legislature* with whom such person has a direct communication concerning such legislation.

13.70 Exemptions. (1) This subchapter does not apply to the following persons and activities:

(c) Requests by a member or employe of the *legislature* or by a legislative committee for information from an agency or its employes and the furnishing of the requested information.

(e) Participation as a member in the deliberations of a committee under s. 227.018 (1) or any committee of the *legislature*.

(3) An elective state official, local official or employe of the *legislature* is not subject to licensing under s. 13.63, registration under s. 13.64 or the reporting requirements of s. 13.67, 13.68 or 13.695 when acting in an official capacity.

(6) Nothing in ss. 13.61 to 13.70 may be applied to or interfere with the right of any person to engage in lobbying:

(a) Solely on his or her own behalf; or

(b) By communicating solely with a *legislator* who represents the *senate* or *assembly* district in which the person resides, whether or not such communication is made on behalf of the person or on behalf of another person.

13.71 Lobbyists restricted during daily sessions. It is unlawful for any person lobbying to go onto the floor of the chamber of either *house of the legislature* during the daily sessions, except upon the invitation of such *house*.

13.72 Compensation for published articles on matters pending before legislature to be reported; penalty. (1) Whenever any thing of value is paid or a promise or agreement to pay any thing of value is given to the owner or publisher or any editor, reporter, agent or employe of any newspaper or other periodical for the publication therein of any article, editorial or other matter favoring or opposing, or which is intended or tends to favor or oppose, any bill, resolution or other matter pending in the *legislature*, excepting a paid advertisement showing the name and address of the person authorizing the publication and the amount paid or agreed to be paid therefor, the owner or publisher of such newspaper or periodical shall, within 10 days after such publication, file with the secretary of state a statement showing the amount of money or other thing of value paid or agreed to be paid and the name and address of the person from whom such payment or agreement was received.

(2) Violation of this section is a misdemeanor and punishable by a fine of not less than $500 nor more than $5,000 for each offense.

13.80 Legislative organization, joint committee on. (1) There is created a *joint committee on legislative organization* with such powers and authority as are provided by law or by the *legislature*.

(2) The committee shall consist of the *speaker of the assembly*, the *president pro tempore of the senate*, and the majority and *minority leaders* and assistant majority and *minority leaders* of the 2 *houses*.

(3) The committee shall supervise and make policy for all legislative staff services.

13.81 Joint legislative council. (1) CREATION. There is created a joint legislative council of 19 members consisting of the *speaker* and *speaker pro tempore of the assembly*, the *president pro tempore of the senate*, the *senate* and *assembly* majority and *minority leaders*, the 2 cochairpersons of the *joint committee on finance*, the ranking minority *member of the joint committee on finance* from each *house*, and 3 *senators* and 5 *representatives to the assembly* appointed as are the members of *standing committees* in their respective *houses*. The appointive members shall be selected so that each congressional district in this state is represented on the council by at least one member. The terms of all members shall expire on May 1 of each odd-numbered year.

(2) MEETINGS. The council shall meet at least once in every 4 months. It, or any committee under ss. 13.82 to 13.84, may meet at such time and place as it determines upon the call of the respective chairman, but when one-third of the total voting membership of the council or of any such committee request that a meeting be held at a specific time and place, the respective chairman shall call a meeting for such time and place. No committee shall meet at a place outside this state without the prior consent of the council.

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(3) REPORTS. The council shall prepare a biennial report of its activities for the governor and the *legislature*. The council may issue special reports concerning any phase of its work or the work of any of its committees under ss. 13.82, 13.83 and 13.84 and shall provide for adequate distribution of such special reports. With any special report a committee may submit legislation recommended for passage to be introduced in the *legislature* by the council if a majority of the membership of the council vote to introduce such legislation.

(4) STAFF. The council may employ an executive secretary and such clerical, technical and professional assistants as may be necessary, within or without the classified service, and determine the qualifications and fix the compensation of such personnel.

(5) EXPENDITURES. All expenditures for the council shall be by voucher signed either by the chairman or by the executive secretary of the council.

(6) REIMBURSEMENT FOR SPECIAL STUDIES. (a) *Reimbursement.* At the end of each fiscal year, the general fund shall be reimbursed, from any other state fund, the amounts actually expended by the council under s. 20.765 (3) (e) for the cost of making and publishing surveys and analyses of activities and policies related to such funds. The legislative council shall bill such state funds at the end of each fiscal year for the costs so incurred, in accordance with cost records maintained by the council.

(b) *Highway problems study.* The council shall authorize payments from the appropriation under s. 20.765 (2) (u) for reimbursement of expenses and compensation for services rendered in connection with the study of highway problems, but persons on the payroll of the department of transportation shall be reimbursed for their expenses under s. 13.45 (3) (b) and may be reimbursed from the appropriation under s. 20.765 (2) (u) only for work performed on the study in excess of the standard work week. The department of transportation and its employes shall, when requested, fully cooperate with and assist the council and the advisory committee in making such study. Payments from the appropriation under s. 20.765 (2) (u) shall be by voucher signed either by the chairman or by executive secretary of the council.

(7) CONTINGENT EXPENSES. Expenditures from the appropriation under s. 20.765 (3) (ec) may be made by the chairman of the council or by the executive secretary at their discretion, but a statement of all such expenditures shall be rendered to the *legislature* at the beginning of each regular session.

13.82 Committees appointed by council. For the purpose of providing information to the *legislature*, the joint legislative council may appoint committees consisting of one member of the council, *members of the legislature* and of citizens having special knowledge on the subject assigned by the council to be studied. Any vacancy on a committee shall be filled by the council. The executive secretary of the legislative council shall certify to the secretary of state the names of the membership of such committees. Citizen members may be reimbursed for their actual and necessary expenses incurred in performing their duties from the appropriations provided by s. 20.765.

(1) STUDIES. Every subject proposed by the *legislature* for study or investigation during the interim between legislative sessions shall be referred to the council and considered by the appropriate committee of the council. If the council determines that the proposed study or investigation is feasible and is not within a subject already assigned, it shall appoint a committee to conduct such study or investigation. The council, through its committees, may also make such surveys and studies, and compile such data, information and records, on any question, as in its judgment will be beneficial to the general welfare of this state. To this end the council:

(a) Shall maintain liaison with federal, state and local officials and agencies.

(b) May conduct research and secure information or data on any subject concerning the government and general welfare of the state and of its political subdivisions.

(c) Shall make recommendations for legislative or administrative action on any subject or question it has considered and, with the approval of a majority of its membership, submit, for introduction, legislation recommended for passage by one of its committees under this section or ss. 13.83 and 13.84.

(2) PUBLIC HEARINGS. The council or any committee thereof when so authorized by the council may hold public hearings at such times and places within the state as are determined, and make such investigations and surveys as are deemed advisable or necessary to accomplish the purposes and intent of this section. Any voting member of the council or of any committee may administer oaths to persons testifying before the council or any committee. By subpoena, issued over the signature of its chairman or acting chairman and served in the manner in which circuit court subpoenas are served, the council or any committee when authorized by the council, may summon and compel the attendance of witnesses. If any witness subpoenaed to appear before the council, or any committee thereof, refuses to appear or to answer inquiries propounded, the council or committee shall report the facts to the circuit court of Dane county, and such court shall compel obedience to such subpoena by attachment proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

13.83 Permanent council committees. The joint legislative council shall in each biennium create the committees enumerated in this section.

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(1) REMEDIAL LEGISLATION COMMITTEE. The council shall in each biennium elect a committee of 3 *legislators*, including at least one member from each *house*, to be known as the committee on remedial legislation, to consider minor substantive remedial measures proposed by state agencies to improve the administration of their agencies. The committee on remedial legislation shall invite the state agencies to submit such proposals to it at least once in each legislative biennium. The committee shall introduce in the *house* of the chairperson those requested proposals which it considers desirable minor substantive remedial measures. The title and authorship of each such proposal shall indicate the requesting agency. The revisor of statutes shall serve as the committee's nonvoting secretary.

(2) EDUCATION COMMITTEE; AIDS ADJUSTMENT. The council shall in each biennium create a committee on education.

(a) Biennially in even-numbered years the education committee shall meet with the 2 cochairmen and the ranking minority member from each *house of the joint committee on finance* and shall consider the advisability of adjusting the guaranteed equalized valuation and the aid per resident pupil in average daily membership in the basic and integrated aid districts. Consideration shall be given to changes in valuations and school costs and to the sources of revenue available to meet the state appropriation required to meet any recommended adjustment in the guaranteed valuation or per pupil aids.

(b) The committee may recommend either an annual or biennial guaranteed equalized valuation and aid per resident pupil in average daily membership.

(c) The committee may conduct studies of the operation of the state aid formula.

(d) The committee shall report its findings and recommendations to the legislative council. The legislative council shall report its action on the findings and recommendations of the committee to the *legislature*.

(3) NATIVE AMERICAN STUDY COMMITTEE. (a) The council shall in each biennium create a native American study committee to study the problems and develop specific recommendations and legislative proposals relating to native Americans and the various Indian tribes in this state. The committee shall select its officers from among its members.

(b) The committee shall be composed of the following:

1. Six members appointed by the legislative council from names submitted by the Wisconsin Indian tribes and the Great Lakes inter-tribal council.

2. Four *senators* and 4 *representatives to the assembly*, appointed by the legislative council.

(c) The actual and necessary expenses incurred in attending meetings of the committee shall be paid as follows:

1. The legislative council shall pay the expenses incurred by the members appointed under par. (b) 1, in performing their functions on the committee, from the appropriation under s. 20.765 (3) (e).

2. The state departments shall pay the expenses of their representatives in connection with the work of the technical advisory committee under par. (f).

(d) The committee shall study the problems of native Americans and Indian tribes in this state in such fields as taxation, public welfare, education, highways and law enforcement.

(e) The committee shall report from time to time its findings and legislative and other recommendations to the legislative council.

(f) The committee shall be assisted by a technical advisory committee composed of 7 members representing the following:

1. The department of health and social services.
2. The department of industry, labor and human relations.
3. The department of justice.
4. The department of natural resources.
5. The department of public instruction.
6. The department of revenue.
7. The department of transportation.

(4) JUDICIARY COMMITTEE; STATUTES AFFECTED BY APPELLATE COURT DECISION. The council shall in each biennium create a committee on judiciary.

(a) The judiciary committee shall make recommendations regarding those statutes which the state supreme court in an opinion states are in conflict or ambiguous or unconstitutional or that a particular proposal for change is a legislative matter. The committee shall make recommendations concerning those statutes which the court of appeals in an opinion states are in conflict, ambiguous or unconstitutional, unless the decision is reversed or the supreme court disagrees with the finding or statement of the court of appeals relating to the statutes.

(b) The revisor of statutes shall report these opinions to the judiciary committee no later than August 1 of each even-numbered year. The judiciary committee shall review the cases and report any recommended legislation to the council for its consideration under s. 13.82 (1) (c).

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(5) MINING COMMITTEE. The legislative council shall in each biennium create a committee on mining. The committee shall consist of 3 *senators*, 3 *representatives to the assembly* and 2 public members, to be named by the council, and one department representative, to be named by the governor.

(a) The committee shall study the social, educational, economic and environmental impacts of mining on state and local governments.

(b) The committee shall advise the investment and local impact fund board on the investment and distribution of revenues received by the board under s. 70.395 (1) (b).

(6) COURTS COMMITTEE. (a) The council shall in each biennium create a committee on courts.

(b) The committee shall make recommendations for the development and revision of a statutory formula for the creation and elimination of courts based on work load data. The committee may also make recommendations for legislation directing the administrative director of courts to apply the formula when preparing budgetary requests for the court system.

(c) All judges, municipal justices, clerks of court, registers in probate and other officers or employes of the courts shall comply with all requests made by the committee for information and statistical data relative to the work of the courts and of such offices.

13.84 Interim study of insurance laws. (1) PURPOSE. The *legislature* finds that the rapidly growing field of insurance requires a unified, comprehensive study of the state insurance laws for the protection of the public welfare and interest, especially with respect to insurance policyholders and shareholders, insurers, their agents and personnel. This protection can best be achieved by a thorough, careful study and modernization, revision and codification of the insurance laws to reflect the expansion of the insurance field and its increased competitive nature under present conditions.

(2) INTERIM STUDY COMMITTEE. An interim committee of the legislative council is created to study the present insurance laws and make recommendations for their revision and codification. The committee shall consist of:

(a) Two majority party *senators*, one minority party *senator*, 2 majority party representatives and one minority party *representative to the assembly*, appointed as are the members of *standing committees* in their respective *houses*;

(b) The commissioner of insurance or his representative;

(c) The attorney general or a representative of the department of justice selected by the attorney general;

(d) The *president* of the state bar of Wisconsin or his representative;

(e) Three public members appointed by the legislative council;

(f) A member of the legislative council, designated by the council, in addition to any council members appointed under par. (a).

(3) ADVISORY COMMITTEE. An advisory committee representing the insurance industry doing business in the state shall be appointed by the legislative council to advise and assist the committee and to provide such expert assistance to the committee staff as may be needed.

(4) TERMS. Committee members appointed under sub. (2) (a), (b), (c) and (d) shall retain their membership while they hold their qualifying status, and until their successors in status are appointed and qualified. Members appointed under sub. (2) (e) shall retain their membership at the pleasure of the legislative council. The member designated under sub. (2) (f) shall retain his membership until replaced by the legislative council at its pleasure or until he ceases to be a council member, whichever occurs first. Vacancies shall be filled as are original appointments.

(5) REPORTS. The committee shall report its findings, conclusions and recommendations to the legislative council at the completion of the study, and the council shall make its report of the study to the *legislature*, with suggested legislation, within a reasonable time thereafter.

(6) STAFF. The legislative council may authorize technical and clerical staff necessary to discharge the duties of the committee, and may fix their compensation.

13.90 Duties of the joint committee on legislative organization. (1) The *joint committee on legislative organization* shall be the policy-making board for the legislative reference bureau, the revisor of statutes bureau, the legislative fiscal bureau and the legislative audit bureau. The committee shall:

(a) Determine the types of tasks to be assigned to each legislative service bureau within statutory limitations, and the quantity and quality thereof.

(b) Consider and approve the budget of each bureau.

(c) Meet not less than once in every 4 months to carry out its policy-making duties, and for the purposes of this paragraph the committee may provide a method of procuring decisions by mail.

(d) Make such rules under ch. 227 and adopt such regulations as are required for the proper operation of each legislative service bureau.

(e) Select the director of each bureau. The appointment of each director shall be made without regard to political affiliation in order to safeguard the nonpartisan character of each legislative service bureau. In the case of the state auditor, the joint legislative audit committee shall make recommendations for the approval of the *joint committee on legislative organization*. The committee

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shall designate an employe of each bureau to exercise the powers and authority of each bureau director in case of absence or disability.

(f) Employ an outside staff of professional consultants for the purpose of studying ways to improve legislative staff services and organization. Without limitation because of enumeration, this study shall cover legislative service agencies, the management of legislative business, legislative compensation, legislative office space, and the increasing amounts of time required by legislative duties.

(g) Supervise the development of programs for computer use and approve and monitor computer operations in the legislative process. All contracts for legislative computer equipment and services shall be signed by the cochairpersons.

(2) The cochairpersons of the *joint committee on legislative organization* or their designated agent shall accept service made under s. 806.04 (11). If the committtee, the *senate organization committee* or the *assembly organization committee*, determines that the *legislature* should be represented in the proceeding, that committee shall designate the *legislature's* representative for the proceeding. The costs of participation in the proceeding shall be paid from the appropriation under s. 20.765 (1) (a), except that such costs incurred by the department of justice shall be paid from the appropriation under s. 20.455 (2) (d).

(3) The *joint committee on legislative organization* shall reserve such space as is necessary in the capitol for the use of the *legislature*.

13.905 Legislative conduct. The *joint committee on legislative organization* may inquire into alleged misconduct by members or employes of the *legislature*.

13.91 Legislative council staff. There is created a bureau known as the "Legislative Council Staff," headed by the executive secretary of the legislative council. The legislative council staff may call upon any state department, agency or officer, or any agency of any political subdivision, for such facilities and data as are available and such departments and agencies shall co-operate with the legislative council staff to the fullest possible extent.

(1) DUTIES OF THE STAFF. The legislative council staff shall:

(a) Provide staff services to the joint legislative council under s. 13.81 and to any of the committees appointed under ss. 13.82, 13.83 and 13.84.

(b) As directed by the joint legislative council, gather information and prepare written studies on topics referred to the council by the *legislature* or which seem desirable to the council.

(2) DUTIES OF THE EXECUTIVE SECRETARY. The executive secretary of the legislative council shall:

(a) Supervise and train the personnel assigned to him.

(b) Supervise all expenditures of the legislative council staff.

(c) Attend all scheduled meetings of the joint legislative council under s. 13.81, of any of its committees under s. 13.82 and of the committees under s. 13.83(2) and (4).

(d) Attend all scheduled meetings of the interim insurance law study committee under s. 13.84.

(e) Attend all meetings of the commission on interstate co-operation under s. 13.54 and the midwest and national meetings in which the commission participates.

(f) Attend, by himself or through a professional employe of the legislative council designated by him, all meetings of the commission on uniform state laws under s. 13.55 and the midwest and national meetings in which the commission participates.

13.92 Legislative reference bureau. There is created a bureau to be known as the "Legislative Reference Bureau," headed by the chief of legislative reference bureau under the classified service. The legislative reference bureau shall be strictly nonpartisan and shall at all times observe the confidential nature of the reference or drafting requests received by it.

(1) DUTIES OF THE BUREAU. (a) *Reference section.* The legislative reference bureau shall perform reference services for all *members of the legislature* equally and impartially and to the limits of its facilities and staff. Such reference services shall be available also to public officials, students of government and citizens generally. In the performance of its reference services, the bureau shall:

1. Collect, index and make available in the most suitable form to *legislators*, other public officials, students of government and citizens generally, information relative to governmental subjects which will aid the *legislature*, other public officials and the citizens generally, to perform their duties in the most efficient and economical manner.

2. Maintain an adequate collection of public documents of Wisconsin and other states and carry out loan arrangements with libraries.

3. Maintain the drafting records of legislation introduced in prior sessions of the *legislature* and utilize such records to provide information on questions of legislative intent. Such records shall be retained in the capitol building at all times.

4. Utilize the materials assembled in its collection and other suitable materials to prepare studies and reports providing pertinent information regarding subjects which are or may become items of concern to the *legislature*, other public officials or the public generally, and where warranted publish such reports and studies in the most expeditious manner.

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5. Prepare copy for the biennial Wisconsin Blue Book.

(b) *Drafting section.* The legislative reference bureau shall provide drafting services equally and impartially and to the limits of its facilities and staff. In the performance of its drafting services, the bureau shall:

1. Prepare in the proper form all legislation to be introduced in the *legislature*.

2. Prepare in plain language an analysis of each original measure, to be printed with the measure when it is introduced. On the printed measure, the analysis shall be displayed single-spaced between the title and the enacting clause.

3. As a service to the *senate* and *assembly*, and as directed by the chief clerks thereof, enroll all measures passed by the *legislature*.

a. Promptly after the passage of any bill, any joint resolution amending the constitution, or any other resolution determined by the chief clerks to require enrollment and, in the case of a bill, before it is presented to the governor for approval, the chief clerk of the *house* in which the measure originated shall deliver the jacket to the bureau which shall enroll the proposal and return the jacket and the required number of copies, including a camera-ready copy for newspaper publication, to the chief clerk. The camera-ready original of the enrolled proposal shall be retained in the bureau.

b. Of the copies delivered to the chief clerk, one copy shall be used as the official enrolled measure to be authenticated as provided by the rules and, in the case of an enrolled bill, be submitted to the governor for his approval. The remaining copies shall be distributed as provided by the rules and as determined by the chief clerks.

c. Each enrolled proposal, or printed copy thereof, shall carry a heading "State of Wisconsin" as do bills and joint resolutions.

d. No later than the day before the publication of any law in the official state paper, the secretary of state shall inform the bureau of the act number and the date on which the act will be published. The bureau shall enter the act number and date of publication on a camera-ready copy and deliver it to the contract printer for reproduction.

e. Printed copies shall be available on the day of publication of the act in the official state paper. If such day of publication is a Saturday, Sunday or holiday as defined in s. 230.35 (4), then printed copies shall be available no later than the first business day following the date of publication.

f. The number of copies printed, and the quality of paper used, shall be as provided in the joint rules and as further determined by the *joint committee on legislative organization*.

(c) *Drafting records; when confidential.* While the *legislature* remains in session the drafting section shall maintain the files for all drafting requests received during such session, but after the adjournment sine die the drafting records to legislation introduced shall be turned over to the reference section under par. (a) 3. Records of drafting requests which did not result in legislation introduced shall remain confidential at all times and may be maintained by the drafting section in such form as will facilitate its operations.

(d) *Legislative computer use.* The legislative reference bureau shall:

1. Coordinate and administer the scheduling and use of computer programs and machine time to facilitate application of computer and other modern office machine technology by both *houses of the legislature* and the legislative service agencies under this subchapter.

2. Subject to review by the department of administration under s. 16.97, and approval by the *joint committee on legislative organization*, provide and maintain a data system to meet legislative needs for text searching, text processing and records keeping.

(e) *Legislative printing.* Payments for the following costs shall be administered by the legislative reference bureau:

1. Providing duplicating services to the *legislature* and its service agencies.

2. Printing of legislative proposals, amendments, or slip laws and, when so ordered by either *house*, engrossed or enrolled proposals, under s. 35.05.

3. Printing of session laws under s. 35.15 and newspaper publication of laws under s. 985.04.

4. Printing of the Wisconsin Blue Book under s. 35.24.

(2) DUTIES OF THE CHIEF. The chief of the legislative reference bureau shall:

(a) Employ under the classified service, and supervise and train the personnel assigned to him.

(b) Supervise all expenditures of the legislative reference bureau.

(c) Serve as editor of the biennial Wisconsin Blue Book.

(d) Co-operate with the legislative service agencies of other states and foreign countries toward the better exchange of information.

(e) Attend all meetings of the commission on interstate co-operation under s. 13.54 and the midwest and national meetings in which the commission participates.

(f) Attend, by himself or through a professional employe under sub. (1) (b) designated by him, all meetings of the commission on uniform state laws under s. 13.55 and the midwest and national meetings in which the commission participates.

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13.93 Revisor of statutes bureau. There is created a bureau to be known as the "Revisor of Statutes Bureau," headed by a chief known as the "Revisor of Statutes" under the classified service. The revisor of statutes bureau shall be strictly nonpartisan.

(1) DUTIES OF THE BUREAU. The revisor of statutes bureau shall prepare copy for the biennial Wisconsin statutes, and for this purpose it:

(a) Shall formulate and prepare a definite plan for the order, classification, arrangement, printing and binding of the statutes and session laws, and between and during sessions of the *legislature* prepare and at each session of the *legislature* present to the judiciary committee of the *senate* or the *assembly* or to the joint committee on revisions, repeals and uniform laws, in such bill or bills as may be thought best, such consolidation, revision and other matter relating to the statutes or any portion thereof as can be completed from time to time.

(b) May renumber any chapter or section of the statutes for the purpose of revision, and shall change reference numbers to agree with any renumbered chapter or section. Where the term "preceding section" or similar expressions are used in the statutes the revisor of statutes may change the same by inserting the proper section or chapter reference.

(c) May, where the application or effect of a statute, by its terms, depends on the time when the act creating the statute took effect, substitute the actual effective date for the various forms of expression which mean that date, such as "when this act (or chapter, or section) takes effect", or "after (or before) the effective date of this act (or chapter, or section)", in preparing copy for the biennial printing of the Wisconsin statutes.

(d) May delete useless words such as "of the statutes", "of this section", "hereof", "immediately above", "inclusive" and the like, where such words appear immediately after a chapter, section or subsection reference.

(e) May delete useless words in statutory references such as "any of the provisions of" or "any of the requirements of" and the like when they appear immediately before a reference to a chapter, section, subsection or paragraph of the statutes.

(f) May delete the word "hereby" wherever used in connection with the verbs "consents", "grants", "gives" or "declares" or other verbs.

(g) May substitute the word "deems" for the words "may deem".

(h) May substitute the word "may" for the phrase "is hereby authorized to" or similar phrases.

(i) May substitute "this state" for the phrase "the state of Wisconsin".

(j) May change an incorrect form of a pronoun to the correct form.

(k) May insert the U.S.C. citations for federal acts.

(l) May delete surplus words and modernize language in penalty provisions to correspond to current drafting style. No such change shall have the effect of increasing or decreasing any penalty.

(m) Shall, whenever any statute is affected by any *act of the legislature*, and may, at the revisor's discretion, ensure that the statutory language does not discriminate on the basis of sex by making the following corrections, which shall have no substantive effect:

1. Delete any masculine or feminine pronoun or adjective, except where the statute clearly applies to one sex only, and replace it, if necessary, with terminology which does not discriminate on the basis of sex.

2. Replace words of male or female gender, such as man, wife and widow, with terms such as person, spouse and surviving spouse, except where the statute clearly applies to one sex only.

3. Make other corrections to remove from the statutes or to replace terminology which discriminates on the basis of sex.

(1m) 1970 ANNOTATIONS. The revisor of statutes shall prepare and deliver to the department of administration, as soon as practicable after the end of the regular legislative session of 1969, a printer's copy for a volume to be designated "Wisconsin Annotations" and to contain the Wisconsin constitution, notes of the legislative history of the sections of the statutes and annotations of court decisions interpreting the Wisconsin constitution and statutes, and such other matter as the revisor deems important. The department shall order printed, and the contract printer shall print and deliver, the number of copies ordered. This edition of the annotations shall be printed and published as supplement to the 1969 Wisconsin statutes; and the laws and the contract governing the printing and distribution of those statutes shall, as far as applicable, govern the printing and sale of the annotations, except that the annotations shall be sold at a price fixed by the department at approximately the cost thereof and there shall be no free distribution thereof except as provided in ss. 35.84 (2) lines 7-D, 17-D, 18-D, 28-D and 35-D, 35.85 (5) and (11m) and 44.06 (1). The department shall designate the type, and shall determine the number of copies to be printed.

(2) DUTIES OF THE REVISOR OF STATUTES. The revisor of statutes shall:

(a) Employ under the classified service, and supervise and train the personnel assigned to him.

(b) Supervise all expenditures of the revisor of statutes bureau.

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(c) Serve as editor of the biennial Wisconsin statutes. In preparing each edition, if 2 or more acts of a legislative session affect the same statutory unit without taking cognizance of the effect thereon of the other acts and if the revisor finds that there is no mutual inconsistency in the changes made by each such act, he shall incorporate the changes made by each act into the text of the statutory unit and document the incorporation in a note to the section. For each such incorporation, the revisor shall include in a correction bill a provision formally validating the incorporation. Section 35.22 is not affected by printing decisions made by the revisor under this paragraph.

(d) Attend all scheduled meetings of the committee on remedial legislation under s. 13.83 (1).

(e) Attend all scheduled meetings and serve as the nonvoting secretary of the committee for review of administrative rules under s. 13.56.

(f) Attend all meetings of the commission on uniform state laws under s. 13.55 and the midwest and national meetings in which the commission participates.

(g) Attend the midwest and national legislative service conferences of the council of state governments.

(3) PRINTING COSTS. Payments for the following costs shall be administered by the revisor of statutes bureau:

(a) Printing of the Wisconsin statutes under s. 35.18.

(b) Printing of the Wisconsin town law forms under s. 35.20.

(c) Printing of the Wisconsin annotations under s. 35.23.

(d) Printing of the administrative code and register under s. 35.93.

13.94 Legislative audit bureau. There is created a bureau to be known as the "Legislative Audit Bureau", headed by a chief known as the "State Auditor". The state auditor, the deputy state auditor and the legislative audit directors shall be outside the classified service. The bureau shall be strictly nonpartisan. Subject to s. 230.35 (4) (a) and (f), the state auditor or designated employes shall at all times with or without notice have access to all departments and to any books, records or other documents maintained by the departments and relating to their expenditures, revenues, operations and structure except as provided in sub. (4). In the discharge of any duty imposed by law, the state auditor may subpoena witnesses, administer oaths and take testimony and cause the deposition of witnesses to be taken as prescribed for taking depositions in civil actions in circuit courts.

(1) DUTIES OF THE BUREAU. The legislative audit bureau shall be responsible for conducting postaudits of the accounts and other financial records of departments to assure that all financial transactions have been made in a legal and proper manner. In connection with such postaudits, the legislative audit bureau shall review the performance and program accomplishments of the department during the fiscal period for which the audit is being conducted to determine whether the department carried out the policy of the *legislature* and the governor during the period for which the appropriations were made. In performing postaudits under this subsection, the legislative audit bureau shall not examine issues related to academic freedom within the university of Wisconsin system. A postaudit shall not examine into or comment upon the content of the various academic programs, including degree requirements, majors, curriculum or courses within the university of Wisconsin system, nor shall any such postaudit examine into the manner in which individual faculty members or groups of faculty members conduct their instructional, research or public service activities. This subsection does not preclude the bureau from reviewing the procedures by which decisions are made and priorities set in the university of Wisconsin system, or the manner in which such decisions and priorities are implemented within the university of Wisconsin system, insofar as such review is not inconsistent with s. 36.09. The legislative audit bureau shall audit the fiscal concerns of the state as required by law. To this end, it shall:

(a) Audit the books and accounts of the treasurer, the moneys on hand in the treasury and all bonds and securities belonging to all public funds on deposit in the treasury or properly accounted for by the treasurer, at least every 2 years; and report the result of such examination in writing to the governor and the *joint committee on finance*, specifying therein particularly the amount and kind of funds and of all such bonds and securities. The bureau shall transmit a certified copy of such report to the outgoing treasurer and successor.

(b) Audit the records of every state department, board, commission, independent agency or authority at least once each 5 years and audit the records of other departments as defined in sub. (4) when the state auditor deems it advisable or when he or she is so directed and, in conjunction therewith, reconcile the records of the department audited with those of the department of administration. Within 30 days after completion of any such audit, the bureau shall file with the joint legislative audit committee, the *appropriate standing committees of the legislature*, the *joint committee on legislative organization*, the governor, the department of administration, the legislative reference bureau, the *joint committee on finance*, the legislative fiscal bureau and the department audited, a detailed report thereof, including its recommendations for improvement and efficiency and including specific instances, if any, of illegal or improper expenditures.

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(c) Audit the central accounting records of the department of administration at least once every 2 years. A detailed report of such audit shall be filed as provided by par. (b), and copies shall be provided to each member or member-elect of the *legislature* and shall be available in limited number to the public. The bureau shall also prepare a summary of such audit report, for distribution in the same manner as the Wisconsin Blue Book under s. 35.84.

(d) At least once every 2 years, and at such other times as the governor or *legislature* directs, examine and see that all the money appearing by the books of the department of administration and state treasurer as belonging to the several funds is in the vaults of the treasury or in the several state depositories. In case of a deficiency, the governor shall require the treasurer to make up such deficiency immediately; and if such treasurer refuses or neglects for 10 days thereafter to have the full sum belonging to said funds in the treasury the attorney general shall institute proceedings to recover the same.

(dd) At least once every 2 years, conduct a financial audit of the department of employe trust funds, to include financial statements and an evaluation of accounting controls and accounting records maintained by the department for individual participants and employers. Within 30 days after completion of such audit the bureau shall file with the governor, the legislative reference bureau, the department of administration and the department of employe trust funds a detailed report thereof, including specific instances, if any, of illegal or improper transactions.

(e) Make such special examinations of the accounts and financial transactions of any department, agency or officer as the governor or *legislature* or *joint committee on legislative organization* directs.

(f) Certify to the treasurer the balance in the treasury when he came into office and all bonds and securities belonging to all public funds on deposit in the treasury or properly accounted for and transmit a certified copy thereof to the outgoing treasurer and his successor.

(g) Require each state department, board, commission, independent agency or authority to file with the bureau on or before September 1 of each year a report on all receivables due the state as of the preceding June 30 which were occasioned by activities of the reporting unit. The report may also be required of other departments as defined in sub. (4). The report shall show the aggregate amount of such receivables according to fiscal year of origin and collections thereon during the fiscal year preceding the report. The state auditor may require any department to file with the bureau a detailed list of the receivables comprising the aggregate amounts shown on the reports prescribed by this paragraph.

(h) Disseminate information concerning department accounting, auditing and fiscal matters.

(i) Prepare a statement of recommendations submitted in each audit report pertaining to department operations, which statement shall be available to any person upon request.

(j) Prepare a biennial report of its activities, including recommendations for efficiency and economy in the expenditure of appropriations made by the *legislature*. Such report shall be filed with the governor and the department of administration on or before December 1 in each even-numbered year and with each *house of the legislature* at the beginning of each regular session.

(k) Provide auditing services at the direction of the elections board under s. 5.05 (2).

(1m) INDEPENDENT EXPERTS. The legislative audit bureau may contract for the services of such independent professional or technical experts as deemed necessary to carry out the statutory duties and functions of the bureau within the limits of the amount provided under s. 20.765 (3) (c); and, in the case of postaudits involving the performance and program accomplishments of a department, shall contract for the services of such subject matter and program specialists from any state or federal agency or public institution of higher learning as deemed necessary by the *joint committee on legislative organization*.

(2) STATE AUDITOR, QUALIFICATIONS. To be eligible for appointment as state auditor a person shall have training equivalent to that represented by graduation from a college or university with work in accounting, finance, economics, statistics, program evaluation, business management or such other subjects as are determined by the *joint committee on legislative organization* to be appropriate.

(3) DUTIES OF THE STATE AUDITOR. The state auditor shall:

(a) Direct the immediate operations of the bureau.

(b) Supervise and train the personnel assigned to him.

(c) Supervise all expenditures of the bureau.

(d) Execute such directions and requests as may be given by the *joint committee on legislative organization* pursuant to its statutory responsibility.

(e) Subject to the approval of the *joint committee on legislative organization*, attend such midwest and national meetings as will benefit the operation of the bureau.

(f) Appoint, outside the classified service, a deputy state auditor and 4 legislative audit directors.

(4) SCOPE OF AUTHORITY. (a) In this section, "department" means every state department, board, commission or independent agency; the Wisconsin health facilities authority, the Wisconsin housing finance authority and the Wisconsin solid waste recycling authority; every provider of medical

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assistance under ch. 49; and every corporation, institution, association or other organization which receives more than 50% of its annual budget from appropriations made by state law.

(b) In performing audits of providers of medical assistance under ch. 49 and corporations, institutions, associations, or other organizations, the legislative audit bureau shall audit only the records and operations of such providers and organizations which pertain to the receipt, disbursement or other handling of appropriations made by state law.

13.95 Legislative fiscal bureau. There is created a bureau to be known as the "Legislative Fiscal Bureau" headed by a director. The fiscal bureau shall be strictly nonpartisan and shall at all times observe the confidential nature of the research requests received by it; however, with the prior approval of the requester in each instance, the bureau may duplicate the results of its research for distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director's designated employes shall at all times, with or without notice, have access to all state departments and to any books, records or other documents maintained by such agencies and relating to their expenditures, revenues, operations and structure.

(1) DUTIES OF THE BUREAU. The legislative fiscal bureau shall perform its services for the *legislature* objectively and impartially and to the limits of its facilities and staff. The bureau shall:

(a) Develop, and make available to the *legislature* and its standing, procedural, special or statutory legislative committees, such fiscal information as will assist the *legislature* or any legislative committee in its deliberations. As part of its fiscal analysis activity, the bureau shall study, and may recommend alternatives to the *legislature* and to any legislative committee, concerning 1) the state budget and its long-range implications for every state fund, and 2) the revenues and expenditures of the state.

(b) Perform fiscal and program analysis for the *legislature* and its appropriate committees.

(c) Review existing and proposed programs and present such alternatives to the governor's recommended programs and budgets as will assist the *legislature* or its appropriate committees.

(d) Review and evaluate requests for appropriations, including proposed plans and policies related to such requests, and make recommendations to the *joint committee on finance* and the *legislature* in relation thereto.

(e) At the direction of the *legislature* or its appropriate committees, or on its own initiative, conduct such other studies and perform such other duties as the *legislature*, its committees and members may require in dealing with the financial affairs of the state.

(f) In connection with the duties enumerated in this subsection, have access to any computerized data bases of state agencies which are required to aid the bureau in the performance of its duties, except that any statutory requirements regarding privacy of individuals' records shall be observed in providing such access.

(2) DUTIES OF THE DIRECTOR. The director of the legislative fiscal bureau shall:

(a) Supervise and train the personnel assigned to him.

(b) Supervise all expenditures of the legislative fiscal bureau.

(c) Attend, or designate a representative who shall attend, all meetings of the *joint committee on finance*.

(e) Attend such midwest and national meetings as will benefit the operation of his bureau.

14.013 Same [Office of the governor]; **specified divisions.** (1) DIVISION OF HIGHWAY SAFETY COORDINATION. There is created in the office of the governor a division of highway safety coordination under the direction and supervision of the highway safety coordinator who shall be nominated by the governor, and *with the advice and consent of the senate appointed*, to serve at the pleasure of the governor. The coordinator shall have at least 5 years experience in fields relating to highway safety and shall be appointed on the basis of recognized interest, administrative ability, training and experience in and knowledge of the problems and needs in the field of highway safety.

14.015 Same [Office of the governor]; **attached boards and commissions.** (1) DISABILITY BOARD. There is created a disability board which is attached to the office of the governor under s. 15.03. Where not in conflict with s. 17.025, s. 15.07 applies to the disability board. The disability board shall consist of the governor, the chief justice of the supreme court, the *speaker of the assembly*, the *president pro tempore of the senate*, the *minority leader of the assembly*, the *minority leader of the senate*, and the dean of the university of Wisconsin medical school. In case of the absence or disability of any of the aforementioned members to serve for a particular meeting of the board, the lieutenant governor, a justice of the supreme court designated by the chief justice, the *speaker pro tempore of the assembly*, the *majority leader of the senate*, the assistant *minority leader of the assembly*, the assistant *minority leader of the senate*, or an associate dean of the university of Wisconsin medical school designated by the dean shall serve, respectively, in place of the aforementioned officers.

(2) CONSERVATION WORK PROJECTS BOARD. There is created a conservation work projects board which is attached to the executive office under s. 15.03. The membership of the board shall be composed of:

(d) Five public members appointed by the governor *with the advice and consent of the senate*, for staggered 5-year terms.

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14.017 Same [Office of the governor]; **councils.** (1) COUNCIL ON HIGHWAY SAFETY. There is created in the office of the governor a council on highway safety. Section 15.09 applies to the council. The council shall consist of 15 members, as follows:

(c) Three *representatives to the assembly*, appointed as are the members of *assembly standing committees*, who serve on any *assembly standing committee* dealing with transportation matters.

(d) Two *senators*, appointed as are the members of *senate standing committees*, who serve on any *senate standing committee* dealing with transportation matters.

(2) COUNCIL ON ALCOHOL AND OTHER DRUG ABUSE. There is created in the office of the governor a council on alcohol and other drug abuse consisting of the governor, the attorney general, the state superintendent of public instruction, the secretary of health and social services and the chairperson of the pharmacy examining board, or their designees; a representative of the controlled substances board; a consumer representing the public at large; a representative of an organization or agency which is a direct provider of services to alcoholics and other drug abusers; and 2 members of each *house of the legislature*, representing the majority party and the minority party in each *house*, chosen as are the members of *standing committees* in their respective *houses*. Section 15.09 applies to the council.

(4) HUMAN SERVICES COORDINATING COUNCIL. There is created in the office of the governor a human services coordinating council consisting of not less than 15 and not more than 21 members nominated by the governor, and *with the advice and consent of the senate appointed*, for staggered 4-year terms. The council membership shall include representation from citizen-consumers of the range of human services, state agencies with responsibilities related to human services and from local public and private human service programs. The council may appoint task committees it deems appropriate.

14.04 Reports to legislature. The governor shall communicate to the *legislature* at the commencement of each regular session the reports of all state officers, commissions, boards, and departments required by law to report to the governor, including the reports of state officers whose terms of office have expired covering the transactions in their respective offices from June 30 in the last year of their terms, and, at the time of communicating said reports, shall render to the *legislature* a statement of all expenditures made by the governor out of any contingent fund appropriated for the contingent expenses of the office of the governor. The governor shall report biennially to the *legislature* the condition of each of the public institutions of this state which are supported in whole or in part by appropriations by the state with such recommendations as deemed proper.

14.06 Review of certain rules by governor. Any general code covering a particular subject adopted by the department of agriculture, trade and consumer protection or by the department of health and social services shall be submitted to the governor 30 days in advance of the proposed effective date. If any taxpayer complains in writing to the governor, the governor may suspend the effective date of such code until such time as the proposed code is approved by the *legislature*. If the governor does so suspend the code, the governor shall send the proposed code with his or her certificate of suspension to the secretary of state for transmittal to the *legislature* at its next session. If the governor finds an emergency exists, the governor may waive the 30-day period provided in this section, and the code shall go into effect at a date designated by the governor. This section shall not affect requirements of other statutes as to notice, hearing, publication and filing of copies of codes.

14.26 Human services coordinating council.

(4) Review administrative rules relating to human services for consistency with state policy and make recommendations to the department, the governor and *legislature* for appropriate modification.

14.27 Council on criminal justice. The council on criminal justice shall:

(3) Prepare a state comprehensive criminal justice improvement plan on behalf of the governor. The plan shall be submitted to the *joint committee on finance* in accordance with s. 16.54 and to the *appropriate standing committees* of each *house of the legislature* as determined by the *presiding officer* of each *house*. The plan shall be updated periodically and shall be based on an analysis of the state's criminal justice needs and problems.

14.38 Secretary of state, duties. The secretary of state shall:

(1) RECORD EXECUTIVE ACTS. Keep a record of the official acts of the executive department and, when required, lay the same and all matters relative thereto before *either branch of the legislature*.

(3) HAVE CUSTODY OF BOOKS, RECORDS, ETC. Have the custody of all books, records, deeds, bonds, parchments, maps, papers and other articles and effects belonging to the state, deposited or kept in his office, and make such provision for the arrangement and preservation thereof as is necessary, and keep the same, together with all accounts and transactions of his office open at all times to the *inspection and examination* of the governor or any committee of either or both *houses of the legislature*.

(4) BIENNIAL REPORT. Report biennially in accordance with s. 15.04 (1) (d) all matters pertaining to the office and, when required, furnish the governor or *either branch of the legislature*, in writing, any information relative to the performance of the duties of the office.

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(5) KEEP ENROLLED LAWS, ETC. Safely keep all enrolled laws and resolutions, and not permit any of them to be taken out of his office or inspected except in his presence, unless by order of the governor or *by resolution of one or both houses of the legislature.* For any violation of this subsection he shall forfeit the sum of $100.

(6) CAUSE ENROLLED LAWS TO BE BOUND. Cause the original enrolled laws and joint resolutions passed at each session of the *legislature*, together with the index containing the titles of the same, to be bound in suitable volumes in a substantial manner, and in the order in which they are received from the governor, and the title thereof, with the session at which the same were passed, to be written or printed on the back of such volumes; and no other or further record of the official *acts of the legislature*, so far as relates to acts and joint resolutions, shall be required of said secretary.

(10) (b) Publish in the official state paper, on the first Tuesday of August, September and October immediately preceding any general election, such proposed constitutional amendments as were approved for the first time by the *legislature* preceding the election.

14.40 Record of positions, appointments. (1) On or before July 1, 1959, and annually thereafter on or before July 1, *each legislative*, administrative and judicial *agency of the state government shall submit* to the secretary of state a list of all positions within that agency outside the classified service and excluding the faculties under the jurisdiction of the board of regents of the university of Wisconsin system and the department of public instruction, and above the clerical level which are filled by appointment, the term if there is one, together with the name of the incumbent, and the date of his appointment.

14.58 Duties of state treasurer. The state treasurer shall:

(7) PERMIT EXAMINATION OF BOOKS. Permit at all times *inspection and examination* of the books, papers and transactions of his office by the governor, secretary of state, attorney general, department of administration or state auditor, or *by the legislature*, any committee thereof *or either branch thereof.*

14.76 Interstate compacts.

(2) With the approval of the commission on interstate cooperation under s. 13.54 (3) (a), any state agency may agree by compact with other states to apply existing standards for residents to nonresidents if the laws or regulations of the states with which such compacts are made are similarly applied to Wisconsin residents and the compacts shall be noticed and published, as a class 1 notice, under ch. 985, 30 days after the opening of the succeeding session of the legislature *unless the legislature* meanwhile *disapproves by joint resolution.*

(3) Any state agency may negotiate compacts with similar agencies in other states relating to the treatment of nonresidents on subjects within its delegated powers but on which no legislation providing standards has been enacted. The commission on interstate cooperation shall be fully apprised of all such negotiations. Such compacts shall be submitted to the *legislature* and shall be effective when approved as are bills.

14.82 Boundary area commission.

(1) MINNESOTA-WISCONSIN. (intro.) [part] There is created a commission of 5 citizens nominated by the governor, and *with the advice and consent of the senate appointed*, for staggered 5-year terms, to represent this state on the joint Minnesota-Wisconsin boundary area commission. Any vacancy shall be filled for the balance of the unexpired term. To assist the commission, there is created a legislative advisory committee comprising 4 *senators* and 6 *representatives to the assembly* appointed as are the members of *standing committees* in their respective *houses*, and a technical advisory committee of 2 members appointed by the governor and one member each appointed by the governing board or head of the following agencies, to represent such agencies: the department of justice, the department of administration, the department of agriculture, trade and consumer protection, the department of natural resources, the department of health and social services, the public service commission and the department of local affairs and development.

15.001 Declaration of policy. (1) THREE BRANCHES OF GOVERNMENT. The "republican form of government" guaranteed by the U.S. constitution contemplates the separation of powers within state government among the legislative, the executive and the judicial branches of the government. The *legislative branch* has the broad objective of determining policies and programs and review of program performance for programs previously authorized, the executive branch carries out the programs and policies and the judicial branch has the responsibility for adjudicating any conflicts which might arise from the interpretation or application of the laws. It is a traditional concept of American government that the 3 branches are to function separately, without intermingling of authority, except as specifically provided by law.

(2) GOALS OF EXECUTIVE BRANCH ORGANIZATION. (a) As the chief administrative officer of the state, the governor should be provided with the administrative facilities and the authority to carry out the functions of his office efficiently and effectively within the policy limits *established by the legislature.*

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(d) Each agency in the executive branch should be assigned a name commensurate with the scope of its program responsibilities, and should be integrated into one of the departments or independent agencies of the executive branch as closely as the conflicting goals of administrative integration and responsiveness to the *legislature* will permit.

(3) GOALS OF CONTINUING REORGANIZATION. Structural reorganization should be a continuing process through careful executive and *legislative appraisal* of the placement of proposed new programs and the co-ordination of existing programs in response to changing emphasis or public needs, and should be consistent with the following goals:

(a) The organization of state government should assure its responsiveness to popular control. It is the goal of reorganization to *improve legislative policy-making capability* and to improve the administrative capability of the executive to carry out these policies.

(c) The organization of state government shall assure efficient and effective administration of the policies *established by the legislature*. It is the goal of reorganization to promote efficiency by improving the management and co-ordination of state services and by eliminating overlapping activities.

15.05 Secretaries. (1) SELECTION. (a) If a department is under the direction and supervision of a secretary, the secretary shall be nominated by the governor, and *with the advice and consent of the senate appointed*, to serve at the pleasure of the governor, except that the secretary of regulation and licensing shall serve for a 6-year term expiring on March 1 of an odd-numbered year.

15.06 Commissions and commissioners. (1) SELECTION OF MEMBERS. (a) The members of commissions shall be nominated by the governor, and *with the advice and consent of the senate appointed*, for staggered 6-year terms expiring on March 1 of the odd-numbered years, except for the Wisconsin waterways commission whose members shall be appointed for staggered 5-year terms.

(b) The commissioners of banking, credit unions, savings and loan and securities shall each be nominated by the governor, and *with the advice and consent of the senate appointed*, for a 6-year term expiring on March 1 of an odd-numbered year.

(c) The governor shall appoint the commissioner of insurance, *with the advice and consent of the senate*, for the term of October 1, 1971, to March 1, 1975, and thereafter for a 4-year term expiring on March 1.

(d) (intro.) The members of the personnel commission shall be nominated by the governor outside the classified service from a list of at least 5 names per position submitted by the personnel board, and *with the advice and consent of the senate appointed*, for staggered 5-year terms, subject to the following conditions:

15.07 Boards. (1) SELECTION OF MEMBERS. (a) If a department or independent agency is under the direction and supervision of a board, the members of the board, other than ex officio members, shall be nominated by the governor, and *with the advice and consent of the senate appointed*, to serve for terms prescribed by law, except that members of the higher educational aids board shall be appointed by the governor without *senate* confirmation and the members of the elections board shall be appointed as provided in s. 15.61.

(b) For each board not covered under par. (a), the governor shall appoint the members of the board, other than ex officio members and except as otherwise provided, for terms prescribed by law except that the members of the following boards shall be nominated by the governor, and *with the advice and consent of the senate appointed*, for terms provided by law:

1. Banking review board.
2. Consumer credit review board.
3. Credit union review board.
4. Personnel board.
5. Savings and loan review board. 6. Agricultural lands preservation board.
7. Bingo control board.

15.08 Examining boards. (1) SELECTION OF MEMBERS. All members of examining boards shall be residents of this state and shall, unless otherwise provided by law, be nominated by the governor, and *with the advice and consent of the senate appointed*. Appointments shall be for the terms provided by law. Terms shall expire on July 1 and shall, if the term is for an even number of years, expire in an odd-numbered year. If a vacancy is required to be filled by an appointee who is a member of a private organization, that organization may make recommendations to the appointing authority for filling the vacancy.

15.105 Same [Department of administration]; **attached boards and commissions.**

(2) CLAIMS BOARD. There is created a claims board, attached to the department of administration under s. 15.03, consisting of a representative of the office of the governor designated by the governor, a representative of the department of administration designated by the secretary of administration, a representative of the department of justice designated by the attorney general and the chairpersons of

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the *senate and assembly committees on finance* or their designees appointed at the commencement of each legislative biennium from the membership of their respective committees on finance.

(5) STATE CAPITOL AND EXECUTIVE RESIDENCE BOARD. There is created a state capitol and executive residence board, attached to the department of administration under s. 15.03, consisting of the secretary of administration or the secretary's designee, the director of the historical society, the head of the engineering function in the department of administration or his or her designee, 3 *senators* and 3 *representatives to the assembly* appointed as are the members of *standing committees* in their respective *houses*, and 7 citizen members appointed for staggered 6-year terms of whom at least 2 shall be architects licensed in this state, one shall be a landscape architect and 3 shall be interior designers.

15.173 Same [Department of employment relations]; **specified divisions.** (1) PERSONNEL DIVISION.

(b) The administrator of the division of personnel in the department of employment relations shall be nominated by the governor, and *with the advice and consent of the senate appointed* for a 5-year term, under the unclassified service from a register certified by the personnel board. The personnel board shall prepare and conduct an examination for the position of administrator according to the requirements for classified positions under subch. II of ch. 230.

(c) The administrator of the division of personnel in the department of employment relations may be nominated by the governor, and *with the advice and consent of the senate reappointed*. The personnel board shall evaluate annually the performance of the administrator. At the conclusion of the administrator's term the board, on the basis of the annual evaluations, may advise the governor in writing as to the reappointment of the administrator.

15.227 Same [Department of industry, labor and human relations]; **councils.**

(5) COUNCIL ON CHILD LABOR. (intro.) There is created in the department of industry, labor and human relations a council on child labor to consist of the following:

(c) One majority and one minority party *senator* and one majority and one minority party *representative to the assembly*, appointed as are the members of *standing committees* in their respective *houses*.

(8) COUNCIL ON MIGRANT LABOR. There is created in the department of industry, labor and human relations a council on migrant labor. Nonlegislative members shall serve for staggered 3-year terms and shall include 6 representatives of employers of migrant workers and 6 representatives of migrant workers and their organizations. Two *members of the senate* and 2 *members of the assembly* shall be appointed to act as representatives of the public. Legislative members shall be appointed as are members of *standing committees* and shall be equally divided between the 2 major political parties.

15.283 Same [Department of local affairs and development]; **specified divisions.** (1) DIVISION OF EMERGENCY GOVERNMENT. There is created in the department of local affairs and development a division of emergency government. The administrator of this division shall be nominated by the governor, and *with the advice and consent of the senate appointed*, to serve at the pleasure of the governor.

15.287 Same [Department of local affairs and development]; **councils.** (3) COUNCIL ON EMERGENCY GOVERNMENT. There is created in the department of local affairs and development a council on emergency government consisting of the governor as chairperson, the lieutenant governor as vice chairperson, the administrator of the division of emergency government and one employe of the division designated by the administrator, one *senator* and one *representative to the assembly* appointed as are the members of *standing committees* in their respective *houses*, a recognized civic leader for each civil defense area of this state selected by the governor and 5 heads of civil defense services selected by the administrator of the division of emergency government.

15.347 Same [Department of natural resources]; **councils.**

(7) SNOWMOBILE RECREATIONAL COUNCIL. There is created in the department of natural resources a snowmobile recreational council consisting of 15 members nominated by the governor, and *with the advice and consent of the senate, appointed* for staggered 3-year terms. Commencing on July 1, 1972, 5 members shall be appointed to serve for one year, 5 members for 2 years and 5 members for 3 years. Thereafter all terms shall be for 3 years with 5 positions on the council to expire each year. At least 5 members of the council shall be from the territory north, and at least 5 members shall be from the territory south, of a line running east and west through the south limits of the city of Stevens Point.

(8) INLAND LAKES PROTECTION AND REHABILITATION COUNCIL. (intro.) There is created in the department of natural resources an inland lakes protection and rehabilitation council consisting of:

(a) Four public members nominated by the governor, and *with the advice and consent of the senate appointed*, for staggered 4-year terms;

(10) PCB ADVISORY COUNCIL. There is created in the department of natural resources a PCB advisory council consisting of 10 persons from multiple disciplines representing a variety and balance of economic, scientific and environmental viewpoints. One member shall be appointed by the public service commission and 9 members shall be appointed by the secretary for staggered 3-year terms. The

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council shall advise the department on the implementation of s. 144.50. All rules proposed by the department under s. 144.50 shall be submitted to the council for review and comment prior to their being proposed in final draft form by the board. The department shall transmit all written comments of all members of the council with the summary of the proposed rules to *appropriate standing committees of the legislature* under s. 227.018 (2). Written minutes of all meetings of the council shall be prepared by the department and made available to all interested parties upon request.

(12) METALLIC MINING COUNCIL. There is created in the department of natural resources a metallic mining council consisting of 9 persons representing a variety and balance of economic, scientific and environmental viewpoints. Members shall be appointed by the secretary of the department for staggered 3-year terms. The council shall advise the department on the implementation of ss. 144.43, 144.44, 144.441, 144.442, 144.445, 144.60 to 144.74 and 144.80 to 144.94 as those statutory sections relate to metallic mining in this state. The council shall serve as an advisory, problem-solving body to work with and advise the department on matters relating to the reclamation of mined land in this state and on methods of and criteria for the location, design, construction and operation and maintenance of sites and facilities for the disposal of metallic mine-related wastes. All rules proposed by the department relating to the subjects specified in this subsection shall be submitted to the council for review and comment prior to the time the rules are proposed in final draft form by the department. The department shall transmit the written comments of all members of the council submitting written comments with the summary of the proposed rules to the *appropriate standing committees of the legislature* under s. 227.018 (2). Written minutes of all meetings of the council shall be prepared by the department and made available to all interested parties upon request.

15.465 Same [Department of transportation]; **attached board and commission.**

(2) RUSTIC ROADS BOARD. There is created a rustic roads board in the department of transportation. The rustic roads board shall consist of the following members: the chairpersons of the *senate and assembly standing committees* having jurisdiction over transportation matters as determined by the *speaker of the assembly* and the *president pro tempore of the senate* and 8 members appointed by the secretary of transportation for staggered 4-year terms of whom at least 4 members shall be selected from a list of nominees submitted by the Wisconsin county boards association.

15.467 Same [Department of transportation]; **conncils.**

(1) COUNCIL ON TRAFFIC LAW ENFORCEMENT. (intro.) There is created in the department of transportation a council on traffic law enforcement. The council shall consist of 17 members, as follows:

(c) One majority and one minority party *senator* and one majority and one minority party *representative to the assembly*, appointed as are the members of *standing committees* in their respective *houses*.

15.497 Same [Department of veterans affairs]; **councils.**

(3) COUNCIL ON VIETNAM ERA VETERANS EDUCATION GRANTS. There is created in the department of veterans affairs a council on Vietnam era veterans education grants consisting of the following 5 members: the chairman of the *assembly* committee on veterans and military affairs, the chairman of the *senate* committee on governmental and veterans affairs and one representative each of the higher educational aids board, the department of veterans affairs and student veterans groups, selected by the organization each represents.

15.57 Educational communications board; creation. There is created an educational communications board consisting of the governor, the state superintendent of public instruction, the president of the university of Wisconsin system and the director of the board of vocational, technical and adult education, or their designees; 8 members appointed for 4-year terms, of whom 4 shall be citizen members and one each shall be a representative of private higher education, a representative of private or parochial elementary or secondary education, a representative of public elementary and secondary education and a representative of a public school board of a district operating elementary and high school grades; and one majority and one minority party *senator* and one majority and one minority party *representative to the assembly*, appointed as are the members of *standing committees* in their respective *houses*.

15.61 Elections board; creation. There is created an elections board consisting of persons who shall be appointed by the governor for 2-year terms as follows: one member selected by the governor; one member each designated by the chief justice of the supreme court, the *speaker of the assembly*, the *senate majority leader*, the *minority leader* in each *house of the legislature*, and the chief officer of each political party as defined in s. 5.02 (13) whose candidate for governor received at least 10% of the vote in the most recent gubernatorial election.

15.77 Personnel board; creation. (1) There is created a personnel board consisting of persons who shall be nominated by the governor, and *with the advice and consent of the senate appointed*, for staggered 5-year terms as follows: one member shall be nominated by the governor; and one member

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each shall be nominated by the governor from each list of 5 names submitted individually by the *president pro tempore of the senate*, the *speaker of the assembly*, the *minority leader of the senate* and the *minority leader of the assembly*. All of the persons on every list shall possess all of the qualifications under sub. (2) except that no more than 3 of the persons on every list need possess the qualification specified under sub. (2) (b).

(3) Notwithstanding s. 17.20, if a member resigns, the officer who submitted the member's name to the governor under sub. (1) shall submit 5 names to the governor. The new member shall be nominated by the governor, and *with the advice and consent of the senate appointed*, to serve for the remainder of the unexpired term of the member who resigned.

15.917 Same [University of Wisconsin system]; **councils.** (1) ADULT EDUCATION CENTER COUNCIL. There is created in the university of Wisconsin system an adult education center council consisting of 3 public members representing agriculture, business and organized labor; 2 members appointed by the *president* of the university of Wisconsin system; and one *senator* and one *representative to the assembly* appointed as are the members of *standing committees* in their respective *houses*. The members appointed by the governor and the *president* of the university system shall serve staggered 5-year terms.

16.007 Claims board.

(1) PURPOSE. The claims board shall receive, investigate and make recommendations on all claims presented against the state which are filed pursuant to s. 16.53 (8). No claim or bill relating to such a claim shall be considered by the *legislature* until a recommendation thereon has been made by the claims board.

(5) FINDINGS. The board shall report its findings and recommendations, on all claims referred to it, to the *legislature* for action. If from its findings of fact the board concludes that any such claim is one on which the state is legally liable, or one which involves the causal negligence of any officer, agent or employe of the state, or one which on equitable principles the state should in good conscience assume and pay, it shall cause a bill to be drafted covering its recommendations and shall report its findings and conclusions and *submit the drafted bill to the joint committee on finance* at the earliest available time. A copy of its findings and conclusions shall be submitted to the claimant within 20 days after the board makes its determination. Findings and conclusions are not required for claims processed under s. 16.007 (6) (b).

(6) SETTLEMENT. (a) Except as provided in par. (b), whenever the claims board by unanimous vote finds that payment of not more than $1,000 to a claimant is justified, it may order the amount so found to be justified paid on its own motion *without submission of the claim in bill form to the legislature*. Such amounts shall be paid upon the certification of the chairperson and secretary of the board from the appropriation made by s. 20.505 (3) (a).

(b) Whenever the representative of the department designated by the secretary pursuant to s. 15.105 (2), finds that payment of a claim described in this paragraph to a claimant is justified, the representative of the department may order the amount so found to be justified paid without approval of the claims board and *without submission of the claim in the form of a bill to the legislature*. Such claims shall be paid upon the certification of the representative of the department from the appropriation made by s. 20.505 (3) (a) and shall be annually reported to the board. Claims which may be paid directly by the department are:

1. Payment of the amount owed by the state under any check issued by it which has been voided for failure to present the check for payment within the prescribed period from the date of issuance.
2. Payment of a refund of state inheritance tax which has been overpaid by any taxpayer.
3. Payment of a refund due as the result of an overpayment made by mistake of the applicant in filing articles of incorporation or amendments thereto, or a certificate of authority for a foreign corporation to transact business in this state pursuant to s. 180.87.

16.40 Department of administration, duties, powers. The department of administration shall:

(3) FINANCIAL STATEMENT. Prepare at the end of each fiscal year not later than October 15, a condensed, and popular account of the finances of the state, showing the sources of the state's revenue and the purposes of its expenditures, including a comparison with the prior year; prepare at the end of each fiscal year not later than October 15, a statement of the condition of the general fund showing the cash balance, the accounts receivable, the accounts payable and the continuing unexpended and unencumbered appropriation balances; and prepare not earlier than January 1 nor later than February 1 in each year a tentative statement of the estimated receipts and disbursements of the general fund for the biennium in progress, showing also the estimated condition of the general fund at the end of the current biennium. A copy of each of such statements shall be filed in the legislative reference bureau and shall be sent to each *member of the legislature*.

(4) FURNISH INFORMATION. Furnish such other information regarding the finances of the state and the financial operations of agencies as may be called for by the governor, the governor-elect, the *legislature or either house thereof*, or any member thereof.

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16.425 Summary of tax exemption devices. (1) DECLARATION OF POLICY. Because state policy objectives are sought and achieved by both governmental expenditures and tax exemption, and because both have an impact on the government's capacity to lower tax rates or raise expenditures, both should receive regular comprehensive review by the governor and the *legislature* in the budgetary process. This section seeks to facilitate such comprehensive review by providing for the generation of information concerning tax exemptions and other similar devices comparable to expenditure information.

16.45 Budget message to legislature. In each regular session of the *legislature*, the governor shall deliver his budget message to the 2 *houses* in joint session assembled. Unless a later date is requested by the governor and *approved by the legislature in the form of a joint resolution*, the budget message shall be delivered on or before the last Tuesday in January. With such message the governor shall transmit to the *legislature* the biennial state budget report and the executive budget bills together with suggestions for the best methods for raising the needed revenues.

16.46 Biennial budget, contents. The biennial state budget report shall be prepared by the secretary [of administration], under the direction of the governor, and a copy of a budget-in-brief thereof shall be furnished to each *member of the legislature* on the day of the delivery of the budget message. The biennial state budget report shall be furnished to each *member of the legislature* on or about February 15 of each odd-numbered year and shall contain the following information:

(1) A summary of the actual and estimated receipts of the state government in all operating funds under existing laws during the current and the succeeding bienniums, classified so as to show the receipts by funds, organization units and sources of income;

(2) A summary of the actual and estimated disbursements of the state government from all operating funds during the current biennium and of the requests of agencies and the recommendations of the governor for the succeeding biennium;

(3) A statement showing the condition of all operating funds of the treasury at the close of the preceding fiscal year and the estimated condition at the close of the current year;

(4) A statement showing how the total estimated disbursements during each year of the succeeding biennium compare with the estimated receipts, and the additional revenues, if any, needed to defray the estimated expenses of the state;

(5) A statement of the actual and estimated receipts and disbursements of each department and of all state aids and activities during the current biennium, the departmental estimates and requests, and the recommendations of the governor for the succeeding biennium. Estimates of expenditures shall be classified to set forth such expenditures by funds, organization units, appropriation, object and activities at the discretion of the secretary;

(6) Any explanatory matter which in the judgment of the governor or the secretary will facilitate the understanding by the *members of the legislature* of the state financial condition and of the budget requests and recommendations.

(7) The report of the department of revenue prepared under s. 16.425, together with the purposes and approximate costs in lost revenue of each new or changed tax exemption device provided in the proposed budget. This information shall be integrated with the rest of the information in this section in such a manner as to facilitate to the fullest extent possible, direct comparisons between expenditure information and tax exemption device information, as defined in s. 16.425.

16.461 Biennial budget, summary of funds. After the governor has submitted all budget recommendations, the secretary [of administration] shall prepare a summary of the recommendations of all funds, to be distributed to the *members of the legislature*.

16.47 Budget bill. (1) The executive budget bill or bills shall incorporate the governor's recommendations for appropriations for the succeeding biennium. Each appropriation in each bill except those for highway construction and aids to local units may be divided into 3 allotments: personal services, other operating expenses and capital outlay or other meaningful classifications, or appropriations may be made in total for all expense. The appropriation method shall in no way affect the amount of detail or manner of presentation which may be requested by the *joint committee on finance*. Appropriation requests may be divided into 3 allotments: personal services, other operating expenses and capital outlay or such other meaningful classifications as may be approved by the *joint committee on finance*. Immediately after the delivery of the budget message, the bills shall be introduced without change into either *house* by the *joint finance committee* and when introduced shall be referred to that committee.

(2) No bill affecting the general fund and containing an appropriation or increasing the cost of state government or decreasing state revenues in an annual amount exceeding $10,000 shall be passed by either *house* until the general fund budget bill has passed both *houses*, except that the governor or the *joint committee on finance* may recommend such bills to the *presiding officer* of either *house*, in writing, for passage and the *legislature* may enact them, and except that the *senate* or *assembly committee on organization* may recommend to the *presiding officer* of its respective *house* any such bill not affecting

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state finances by more than $100,000 biennially. Such bills shall be accompanied by a statement to the effect that they are emergency bills recommended by the governor, the *joint committee on finance*, or the *senate* or *assembly committee on organization*. Such statement by the governor or *joint committee on finance* shall be sufficient to permit passage prior to the general fund budget bill. Such statement by the *senate* or *assembly committee on organization* shall be effective only to permit passage by its respective *house*.

16.475 Review in even-numbered years. If the governor determines that the implementation of budget priorities or the fiscal condition of the state requires adjustments in expenditures or revenues, he shall, unless a later date is requested by the governor and *approved by the legislature in the form of a joint resolution*, no later than the 2nd week of the legislative session in the even-numbered year, submit his recommendations in bill form to the *joint committee on finance* which shall introduce the bill without change in either *house*. Upon introduction, the bill shall be referred to that committee.

16.48 Recommendation of joint finance committee on fiscal policy. At any time during the regular session but not later than 10 days after the passage by both *houses* of the budget bill relating to the general fund, the *joint committee on finance* shall report to the *legislature* in the form of a joint resolution, to be introduced in either *house*, its recommendations as to fiscal policy concerning state revenues and appropriations for the next biennium. Such information shall include: The estimated condition of the general fund on the succeeding July 1; the estimated general fund revenues during the ensuing biennium; the total amount of appropriations in the budget bills; the estimated condition of the general fund at the end of the ensuing biennium; and such other information as the committee deems pertinent.

16.50 Departmental estimates. (1) EXPENDITURES. Each department except the *legislature* and the courts shall prepare and submit to the secretary [of administration] an estimate by quarters of the amount of money which it proposes to expend upon each of its divisions, activities, functions and programs. The secretary may waive the submission of estimates of other than administrative expenditures from such funds as he determines. Estimates shall be prepared in such form and at such times as the secretary requires. Revised and supplemental estimates may be presented at any time under rules to be prescribed by the secretary.

(2) ACTION THEREON BY SECRETARY. The secretary shall examine each such estimate to determine whether appropriations are available therefor and can be made without incurring danger of exhausting such appropriations before the end of the appropriation period and whether there will be sufficient revenue to meet such contemplated expenditures. The secretary also shall examine each estimate to assure as nearly as possible that the proposed plan of program execution reflects the intentions of the *joint committee on finance*, *legislature* and governor, as expressed by them in the budget determinations. If satisfied that such estimate meets these tests, he shall approve the same; otherwise he shall disapprove the same, in whole or in part, as the facts require. If the secretary is satisfied that an estimate for any period is more than sufficient for the execution of the normal functions of a department, he may modify or withhold such estimates. It is the intent of the *legislature* that this section be strictly construed by the secretary to the end that such budget determinations and policy decisions reflected by such determinations be implemented to the fullest extent possible within the concepts of proper management.

(3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except the *legislature* or the courts, may increase the pay of any employe, expend money or incur any obligation except in accordance with the estimate that is submitted to the secretary as provided in sub. (1) and approved by the secretary or the governor. No additional positions above the number authorized through the biennial budget, budget review process or other legislative act may be granted without the approval of the *joint committee on finance* acting under s. 13.101, except for positions created from funds received under s. 16.54 or 20.001 (2) (b) or (c). The secretary may withhold, in total or in part, the funding for any position, as defined in s. 230.03 (11), as well as the funding for part-time or limited term employes until such time as the secretary determines that the filling of the position or the expending of funds is consistent with the intent of the *legislature* as established by law or in budget determinations, or the intent of the *joint committee on finance* acting under s. 13.101 or as otherwise provided by law, or the intent of the governor acting under s. 16.54 or creating positions funded under s. 20.001 (2) (b) or (c). Until such release of funding occurs, recruitment or certification for the position may not be undertaken. The secretary shall submit a quarterly report to the *joint committee on finance* of any additional positions created under s. 16.54 or 20.001 (2) (b) or (c). No pay increase may be approved unless it is at the rate or within the pay ranges prescribed in the compensation plan or as published in a collective bargaining agreement under subch. V of ch. 111. At the request of the secretary of the department of employment relations, the secretary may authorize the temporary creation of pool or surplus positions under any source of funds if the secretary of the department of employment relations determines that temporary positions are necessary to maintain adequate staffing levels for high turnover classifications, in anticipation of attrition, to fill positions for which recruitment is difficult. Surplus or pool positions authorized by the secretary shall be reported quarterly to the *joint committee on finance* in conjunction with the report required under s. 16.54 (8).

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16.505 Position authorization. (1) No position, as defined in s. 230.03 (11), regardless of funding source or type, may be created unless authorized by one of the following:

(a) The *legislature* by law or in budget determinations.

16.535 Reimbursement for travel expenses. (1) DEFINITIONS. In this section, unless the context otherwise requires:

(a) "Employe" means any officer or employe of the state and any *legislator* or board member entitled to actual, reasonable and necessary expenses.

16.545 Federal aid management service. A federal aids management service shall be established in the department of administration.

(1) To fully inform the governor, the *legislature*, the commission on interstate cooperation, other state agencies and the public of available federal aid programs.

(2) To fully inform the governor and the *legislature* of pending federal aid legislation.

(3) To advise the governor and the *legislature* of alternative and recommended methods of administering federal aid programs.

(8) To serve as the state central information reception center for the receipt and dissemination of such federal grant-in-aid information as provided by federal agencies pursuant to section 201 of the federal intergovernmental cooperation act of 1968. All information shall be reported to the governor and to the interstate cooperation commission which shall serve as the principal liaison contact between the federal aid management service and the *legislature* except as provided in sub. (7).

16.60 Services to nonprofit corporations.

(2) The department [of administration] or the *legislature* or any person delegated by the *legislature may inspect and examine* or cause an inspection and examination of all records relating to the construction of projects that are, or are to be, financed by a nonprofit corporation and leased or subleased by any state agency.

16.61 Records of state offices.

(2) (b) "Public records" means all books, papers, maps, photographs, films, recordings, or other documentary materials or any copy thereof, regardless of physical form or characteristics, made, or received by any agency of the state or its officers or employes in connection with the transaction of public business, except the records and correspondence of any *member of the state legislature*.

16.70 Purchasing; definitions. As used in this subchapter the following terms shall mean:

(1) The term "office" includes both *houses of the legislature* and any department, board, commission or body connected with the state government, including all educational, charitable, correctional, penal and other institutions.

(2) The term "officer" includes each requisitioning officer of the *legislature* and the person or persons at the head of any such department, board, institution, commission or body, by whatever title any such person or persons may be elsewhere designated.

16.835 Offices in capitol. The office of the governor shall be located in the capitol. The attorney general, lieutenant governor, supreme court, state treasurer and secretary of state shall each keep a room in the capitol. From the remaining capitol space not reserved for the use of the *legislature*, the department [of administration] may assign additional rooms to be used by the attorney general, state treasurer and secretary of state.

16.84 Department of administration; physical plant management; protection of persons. The department shall:

(4) Assign space in the capitol, other than rooms reserved by either *house of the legislature*. In assigning officers to space in the capitol preference shall be given to those who are especially entitled by law to such space. All assignments shall be subject to the approval of the governor.

(10) Approve as to design, structure, composition and location and arrangements made for its care and maintenance which are satisfactory to the department all public monuments, memorials, or works of art, except such as are or become the property of the university of Wisconsin or the historical society, which shall be constructed by or become the property of the state by purchase wholly or in part from state funds, or by gift or otherwise. "Work of art" means any painting, portrait, mural decoration, stained glass, statue, bas-relief, ornament, tablets, fountain or any other article or structure of a permanent character intended for decoration or commemoration. The governor, the *legislature* or any committee thereof may, at any time, request a report as to the recommendations of the department on any of the above matters and the department shall make such report within 30 days of the receipt of such request.

16.843 Capitol and state office buildings parking regulations.

(4) To facilitate the administration of sub. (3), the state protective service shall procure numbered identification tags which correspond with the numbered parking stalls and spaces, and shall issue such tags to applicants eligible under sub. (3) in accordance with rules promulgated by the *joint committee on legislative organization*.

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17.01 Resignations to whom made; when effective. Resignations of public officers shall be made as follows:

(1) By the governor, lieutenant governor or any officer appointed by the *legislature*, to the *legislature*, if in session; otherwise by the governor or lieutenant governor, to the secretary of state, and by an officer appointed by the *legislature*, to the governor.

(2) By the secretary of state, treasurer, attorney general, state superintendent, and all officers appointed by the governor alone or by him *by and with the advice and consent of the senate*, to the governor.

(3) By *senators* and *members of the assembly*, to the *presiding officers* of their respective *houses*, who shall immediately transmit the same to the governor, and to the governor during the recess of the *legislature*.

(13) (a) If required to be addressed and delivered to the *legislature*, with the *presiding officer* of each *house*, or if required to be addressed and delivered to but one *house*, to the *presiding officer* of that *house*.

17.06 Removal state officers; impeachment; address. (1) Any civil officer of this state may be removed from office by impeachment for corrupt conduct in office, or for crimes and misdemeanors as provided in section 1, article VII of the constitution; and any supreme court justice or circuit court judge may also be removed from office by address of both *houses of the legislature* as provided in section 13, article VII of the constitution.

(2) In this section, "address" means a procedure for removal of a judge from office based on a document entitled "Address" which specifies charges against a judge alleging misconduct or that he is not physically or mentally qualified to exercise the judicial functions of his office. A copy of the address containing the charges against him shall be served upon the judge. The judge shall have the opportunity of being heard in his defense and he may be removed from office by address of both *houses of the legislature* if two-thirds of all members elected to each *house* concur therein.

17.07 Removals; legislative and appointive state officers. Removals from office of legislative and appointive state officers may be made as follows:

(1) Officers elected by either *house of the legislature*, by the *house* that elected them, at pleasure.

(2) State officers appointed by the *legislature*, by that body, at pleasure; or by the governor during the recess of the *legislature*, for cause.

(3) State officers appointed by the governor *by and with the advice and consent of the senate*, or appointed by any other officer or body subject to the concurrence of the governor, by the governor at any time, for cause; but the commissioner of banking and state auditor may be so removed only by and with the consent of a majority of the *members of the senate*.

(4) State officers appointed by the governor alone for a fixed or indefinite term or to supply a vacancy in any office, elective or appointive, except justices of the supreme court and judges, by the governor at pleasure; and all officers appointed by the governor during the recess of the *legislature* whose appointments are required to be later confirmed by the *senate* shall be deemed to be appointed by the governor alone until so confirmed.

17.19 Vacancies, elective state offices; how filled. Vacancies in elective state offices shall be filled as follows:

(1) MEMBERS OF LEGISLATURE. In the office of *state senator* or *representative to the assembly*, by election, as provided in s. 8.50, for the residue of the unexpired term.

17.20 Vacancies in appointive state offices; how filled; terms.

(2) INTERIM VACANCIES; TERMS. Vacancies occurring in the office of any officer normally nominated by the governor, and *with the advice and consent of the senate appointed*, may be filled by a provisional appointment by the governor for the residue of the unexpired term, if any, subject to confirmation by the *senate*. Any such appointment shall be in full force until acted upon by the *senate*, and when confirmed by the *senate* shall continue for the residue of the unexpired term, if any, or until a successor is chosen and qualifies. A provisional appointee may exercise all of the powers and duties of the office to which such person is appointed during the time in which the appointee qualifies. Any appointment made under this subsection which is withdrawn or rejected by the *senate* shall lapse. When a provisional appointment lapses, a vacancy occurs. Whenever a new *legislature* is organized, any appointments then pending before the *senate* shall be referred by the *president* to the *appropriate standing committee* of the newly organized *senate*.

18.52 Definitions. In this subchapter, unless the context requires otherwise:

(6) "Revenue-producing enterprise" or "program" means every state enterprise or program deemed by the *legislature* to be likely to produce sufficient net income to pay when due the principal and interest of revenue obligations to be issued in connection therewith.

18.53 Purposes of revenue obligations and amounts.

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(3) The [state building] commission shall authorize money to be borrowed and evidences of revenue obligation to be issued therefor up to the amounts specified by the *legislature* to purchase, acquire, lease, construct, extend, expand, add to, improve, conduct, control, operate or manage such revenue-producing enterprises or programs as are specified by the *legislature* as the funds are required. The requirements for funds shall be established by the state department or agency head carrying out program responsibilities for which the revenue obligations have been *authorized by the legislature*.

18.54 Limitations on revenue obligations.

(2) The amount of evidences of revenue obligation issued or outstanding for purposes specified by the *legislature* under s. 18.53 (3) are subject only to the limits provided in the enacting legislation.

18.58 Other fiscal and administrative regulations.

(4) SUBSTANTIVE COVENANTS. Notwithstanding any other provision of this subchapter, the state department or agency head carrying out program responsibilities for which a revenue obligation has been *authorized by the legislature* shall have the authority to formulate covenants respecting the operation of the related enterprise or program. The department or agency head shall consult with the [state building] commission with respect to the effect of any proposed covenants on the sale of the proposed revenue obligation. Nothing in this subsection shall be construed to expand the powers of any state department or agency.

18.61 Undertakings of state.

(5) The *legislature may provide*, with respect to any specific issue of revenue obligations, prior to their issuance, that if the enterprise or program income pledged to the payment of the principal and interest of the issue is insufficient for that purpose, it will consider supplying the deficiency by appropriation of funds, from time to time, out of the treasury. *If the legislature so provides*, the [state building] commission may make the necessary provisions therefor in the authorizing resolution and other proceedings of the issue. Thereafter, if the contingency occurs, recognizing its moral obligation to do so, the *legislature* hereby expresses its expectation and aspiration that it shall make such appropriation.

19.01 Oaths and bonds.

(4) WHERE FILED. Official oaths and bonds shall be filed:

(a) In the office of the secretary of state: Of all members and officers of the *legislature*, of the governor, lieutenant governor and state superintendent; of the justices, reporter and clerk of the supreme court; of the judges of the court of appeals; of the judges and reporters of the circuit courts; of all notaries public; of every officer, except the secretary of state, state treasurer and attorney general, whose compensation is paid in whole or in part out of the state treasury, including every member or appointee of a board or commission whose compensation is so paid; and of every deputy or assistant of an officer who files with the secretary of state;

19.42 Definitions. [*Code of ethics for public officials*] In this subchapter:

(5) "Department" means the *legislature*, the university of Wisconsin system, any authority or public corporation created and regulated by an *act of the legislature* and any office, department, independent agency or legislative service agency created under ch. 13, 14 or 15, or any constitutional office other than a judicial office.

(9) "Nominee" means any person who is nominated by the governor for appointment to a state public office and whose nomination requires the advice and consent of the *senate*.

(10) (intro.) "Official required to file" means:

(d) A state public official whose appointment to state public office requires the advice and consent of the *senate*.

(g) The chief clerk and sergeant at arms of each *house of the legislature*.

(13) (e) The chief clerk and sergeant at arms of each *house of the legislature* or a full-time, permanent employe occupying the position of auditor for the legislative audit bureau.

19.45 Standards of conduct.

(8) Except in the case where the state public office formerly held was that of *legislator*, legislative employe under s. 20.923 (6) (f), (g) or (h), chief clerk of a *house of the legislature*, sergeant at arms of a *house of the legislature* or a permanent employe occupying the position of auditor for the legislative audit bureau:

(a) No former state public official, for 12 months following the date on which he or she ceases to be a state public official, may, for compensation, on behalf of any person other than a governmental entity, make any formal or informal appearance before, or negotiate with, any officer or employe of the department with which he or she was associated as a state public official within 12 months prior to the date on which he or she ceased to be a state public official.

(b) No former state public official, for 12 months following the date on which he or she ceases to be a state public official, may, for compensation, on behalf of any person other than a governmental entity, make any formal or informal appearance before, or negotiate with, any officer or employe of a

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department in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge which might give rise to a judicial or quasi-judicial proceeding which was under the former official's responsibility as a state public official within 12 months prior to the date on which he or she ceased to be a state public official.

(c) No former state public official may, for compensation, act on behalf of any party other than the state in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge which might give rise to a judicial or quasi-judicial proceeding in which the former official participated personally and substantially as a state public official.

(10) This section does not prohibit a *legislator* from making inquiries for information on behalf of a person or organization or from representing a person or organization before a department if he or she receives no compensation therefor beyond the salary and other compensation or reimbursement to which the *legislator* is entitled by law, except as authorized under sub. (7).

19.46 Action upon conflict.

(1) (a) (intro.) Any state public official who, in the discharge of his or her official duties, is involved or about to be involved in any matter that could result in a material conflict of interests on his or her part shall:

2. Deliver copies of the statement to the [ethics] board, to his or her immediate superior, if any, and in the case of a *legislator* to the *presiding officer* of his or her *house*, in the case of a justice, to the supreme court, in the case of a judge of the court of appeals, to the chief judge of the court of appeals, or in the case of a circuit judge, to the chief judge of the judicial administrative district; and

3. In the case of an official who is not a *legislator*, justice or judge, take no further action in regard to such matter except in accordance with advice from the board under par. (c).

(b) Where the *presiding officer* of either *house of the legislature* receives a statement from a member of the *house* under par. (a) 2, the officer shall cause such statement to be printed in the journal and, upon request of the *legislator*, shall excuse him or her from votes, deliberations and other actions in regard to such matter.

19.47 Operation.

(6) The *joint committee on legislative organization* shall be advisory to the [ethics] board on all matters relating to operation of the board.

19.48 Duties of the board. The [ethics] board shall:

(4) (c) Upon the expiration of 3 years from the action of the *senate* upon a nomination for state public office at which the *senate refused to consent to the appointment of the nominee*, the board shall destroy any statements of economic interests filed by him or her as a nominee and any copies thereof in the board's possession, unless the person continues to hold another position for which he or she is required to file a statement, or unless the nominee otherwise requests. This paragraph does not apply to any person who is appointed to state public office under s. 17.20 (2).

19.53 Findings of fact and conclusions; orders and recommendations. (intro.) If the [ethics] board determines that no violation of this subchapter has occurred, it shall immediately send written notice of such determination to the accused and to the party who made the complaint. If the board determines that a violation of this subchapter has occurred, its findings of fact and conclusions may contain one or more of the following orders or recommendations:

(2) In the case of a *legislator*, a recommendation that the person be censured, suspended, or removed from office. Such recommendation shall be made to the appropriate *house*.

(3) In the case of a justice or judge, a recommendation that the person be reprimanded, censured, suspended or removed from office. Such recommendation shall be sent to the supreme court and to the *presiding officer* of each *house of the legislature*.

(4) In the case of a state public official liable to impeachment, a recommendation that the official be removed from office. Such recommendation shall be referred to the *assembly*.

19.56 Fees and honorariums. (1) In order to achieve the broadest possible public discussion and understanding of state government, the legislative process and the specific policy issues and proposals pending before the *legislature*, every state public official is encouraged to meet with clubs, conventions, special interest groups, political groups, school groups and other gatherings to discuss and to interpret these topics.

(2) Notwithstanding s. 19.45 (4), reasonable compensation for any such activity or for any published work and reimbursement of actual and necessary expenses incurred in connection therewith may be accepted by a state public official, but if such activity or published work is accomplished by an official with the use of the state's time or of its facilities, services or supplies not generally available to all citizens of this state or, except in the case of a *legislator* or constitutional officer, in the course of his or her official duties, the official may not retain such compensation or reimbursement of expenses but shall deposit it with the department with which he or she is associated. A state public official need not, however, deposit reimbursement received for bona fide expenses reimbursable by the state.

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(3) An official required to file who receives and retains for personal use any compensation or reimbursement of expenses in excess of $10 for a published work or a meeting or the presentation of a paper, talk or demonstration shall, within 60 days of its receipt, report to the [ethics] board or in the case of a *legislator* to the chief clerk of his or her *house*, the amount of such compensation or reimbursement, together with a brief statement describing the circumstances under which the payment was received.

(4) Nothing in this section prevents or limits reimbursement by the state of actual and reasonable expenses incurred by a state public official in the performance of official duties.

19.57 Prior approval of rules. (1) APPLICATION. This section does not apply to emergency rules adopted under s. 227.027.

(2) ROLE OF LEGISLATIVE COUNCIL. Prior to any public hearing on a proposed rule under this subchapter, or if no public hearing is required, prior to notification of the *standing committees*, the [ethics] board shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the board and the revisor to:

(a) Review the statutory authority under which the board intends to adopt the rule. The legislative council shall notify the board, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

(b) Ensure that the procedures for the promulgation of a rule required by this chapter are followed.

(c) Review proposed rules for form, style and placement in the administrative code.

(d) Review proposed rules to avoid conflict with or duplication of existing rules.

(e) Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

(f) Streamline and simplify the rule-making process.

(g) Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

(h) Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(3) LEGISLATIVE COUNCIL TO ASSIST STANDING COMMITTEES. The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the board submits under this section.

(4) NOTIFICATION OF STANDING COMMITTEES. The board shall notify *appropriate standing committees* when proposed rules under this subchapter are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The board may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

(5) FORM OF NOTICE. The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(6) STANDING COMMITTEE REVIEW. (a) A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the board to attend the meeting and hold public hearings to review the proposed rule.

(b) The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the board to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

(c) The board may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

19.58 Criminal penalties.

(2) The penalty under sub. (1) does not limit the power of either *house of the legislature* to discipline its own members or to impeach a public official, or limit the power of a department to discipline its state public officials or employes.

19.87 Legislative meetings.

(1) Section 19.84 shall not apply to any meeting of the *legislature* or a subunit thereof called solely for the purpose of scheduling business before the legislative body; or adopting resolutions of which the sole purpose is scheduling business before the *senate* or the *assembly*.

(2) No provision of this subchapter which conflicts with a rule of the *senate* or *assembly* or joint rule of the *legislature* shall apply to a meeting conducted in compliance with such rule.

20.001 Definitions and abbreviations.

(1) STATE AGENCY. "State agency" means any office, department or independent agency in the executive branch of Wisconsin state government, the *legislature* and the courts.

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(2) REVENUE TYPES. (a) *General purpose revenues.* "General purpose revenues" consist of general taxes, miscellaneous receipts and revenues collected by state agencies which are paid into a specific fund, lose their identity, and are then available for appropriation by the *legislature.* In this chapter unless another fund is specifically indicated, "general purpose revenues" refers to general purpose revenues in the general fund. General fund general purpose revenues are identified by the abbreviation "GPR" in s. 20.005. Whenever the terms "executive budget revenues", "unappropriated revenues" or "unassigned receipts" or other similar designations appear in the statutes and when such terms have reference to the general fund, such terms mean "general purpose revenues". They shall be deposited pursuant to s. 20.906.

(b) *Program revenues.* "Program revenues" consist of revenues which are paid into a specific fund and are credited by law to an appropriation to finance a specified program or agency. In this chapter, unless another fund is specifically indicated, "program revenues" refers to program revenues in the general fund. General fund program revenues are identified by the abbreviation "PR" in s. 20.005. Whenever the terms "revolving budget revenues", "appropriated revenues" or "assigned receipts" or other similar descriptions appear in the statutes and when such terms have reference to the general fund, such terms mean "program revenues". They shall be deposited pursuant to s. 20.906.

(c) *Program revenue-service.* "Program revenue-service" consists of moneys transferred between or within state agencies for the purpose of reimbursement for services rendered or materials purchased. These moneys are shown as expenditures in the appropriations of those agencies or activities receiving the service or material and also shown as program revenue in the appropriations of the agency or program providing the service or material.

(d) *Segregated fund revenues.* "Segregated fund revenues", indicated by the abbreviation "SEG" in s. 20.005 consist of revenues which, by law, are deposited into funds other than the general fund and are available for the purposes for which such funds are created. They shall be deposited pursuant to s. 20.906.

(da) *Segregated fund revenues - service.* "Segregated fund revenues - service" consists of moneys transferred between or within state agencies for the purpose of reimbursement for services rendered or materials purchased. These moneys are shown as expenditures in the appropriations of those agencies or activities receiving the service or material and also shown as segregated revenue in the appropriations of the agency or program providing the service or material.

(e) *Federal revenues.* Moneys received from the federal government may be deposited as program revenues of either the general fund or of a segregated fund. In either case they are indicated in s. 20.005 by the addition of "-F" after the abbreviation assigned pursuant to pars. (b) and (d).

(f) *Bond revenues.* "Bond revenues", indicated by the abbreviation "BR" in s. 20.005, consist of all moneys resulting from the contracting of public debt or revenue-obligations in accordance with ch. 18.

(g) *Local tax revenues.* "Local tax revenues", indicated by the abbreviation "LTR" in s. 20.005, consist of such portions of state-collected taxes which are paid into the general fund and distributed to localities under s. 20.835.

(3) (c) *Continuing appropriations.* Continuing appropriations, indicated by the abbreviation "C" in s. 20.005, are appropriations which are expendable *until fully depleted or repealed by subsequent action of the legislature.* The appropriations for any given year shall consist of the previous fiscal year ending balance together with the revenues received or new appropriation authority granted under ss. 20.100 to 20.899 during the current fiscal year. Dollar amounts shown in the schedule under s. 20.005 represent the most reliable estimates of the amounts which will be expended during any fiscal year, but shall not be limiting. Continuing appropriations are indicated in ss. 20.100 to 20.899 either by the introductory phrase, "as a continuing appropriation" or by the introductory phrase "all moneys received from".

(d) *Sum sufficient appropriations.* Sum sufficient appropriations, indicated by the abbreviation "S" in s. 20.005, are appropriations which are expendable from the indicated source in the amounts necessary to accomplish the purpose specified. Dollar amounts shown under s. 20.005 represent the most reliable estimate of the amounts which will be needed. Sum sufficient appropriations are indicated in ss. 20.100 to 20.899 by the introductory phrase "a sum sufficient".

20.002 General appropriation provisions. (1) EFFECTIVE PERIOD OF APPROPRIATIONS. Unless otherwise provided appropriations shall become effective on July 1 of the fiscal year shown in the schedule under s. 20.005 and shall be expendable until the following June 30. *If the legislature does not amend or eliminate* any existing appropriation on or before July 1 of the odd-numbered years, such existing appropriations provided for the previous fiscal year shall be in effect in the new fiscal year and all subsequent fiscal years *until amended or eliminated by the legislature.* If the biennial state budget has not been enacted on or before June 30 of the odd-numbered year, the department of administration may, for accounting purposes, adjust its appropriation account structure, beginning on July 1 of the odd-numbered year, to reflect the appropriation account structure in the biennial state budget.

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(12) SUSPENSION OF EXPENDITURES. No funding may be expended by any state agency, except the *legislature* or courts, for permanent, project, part-time or limited term employment if the position for which funding is authorized has been temporarily withheld under s. 16.50 (3).

20.710 Building commission.

(2) BUILDING TRUST FUND. (u) *Aids for buildings.* Unless otherwise provided by law all moneys received from the federal government or from other sources for the construction, remodeling, repairing, equipment or otherwise improving any of the state's buildings or institutions shall be paid into the state building trust fund and are appropriated therefrom to the proper department for the purposes for which received, as certified by the governor. The state of Wisconsin hereby assents to the provisions of any act of congress making such funds available to this state for such purposes. When the *legislature* is not in session or during any recess thereof, the governor is authorized on behalf of the state to accept such federal or other moneys upon such terms and conditions as he deems advisable and as provided in s. 13.48. Specifically excluded from this subsection are all moneys received under s. 20.485 (1) (m) or received in connection with projects already started in other funds. Such moneys shall be credited to the respective fund from which such projects were heretofore started.

(x) *Building trust fund.* As a continuing appropriation, all moneys not otherwise appropriated from the state building trust fund for purposes of carrying out the long-range building program under s. 13.48. The state building trust fund shall consist of all appropriations or transfers made thereto by the *legislature*, together with all donations, gifts, bequests or contributions of money or other property, all restored advances and all investment income.

20.765 Legislature. There is appropriated to the *legislature* for the following programs:

(1) ENACTMENT OF STATE LAWS. (a) *General program operations.* A sum sufficient to carry out the functions of the *senate* and *assembly*, excluding processing of legislative documents and records.

(b) *Contingent expenses.* Biennially, the amounts in the schedule for the contingent expenses of the *senate* and *assembly*.

(d) *Processing legislative documents.* A sum sufficient to pay legislative expenses for processing legislative documents and records under ss. 13.17, 13.90 (1) (g), 13.92 (1) (e) and 13.93 (3) or the rules of the *senate* and *assembly*.

(2) (cb) *Membership in national associations.* A sum sufficient to be disbursed as directed by the commission on interstate cooperation, to pay the annual fees entitling the *legislature* to membership in national organizations including, without limitation because of enumeration, the council of state governments, the national conference of *state legislatures* and the national committee on uniform traffic laws and ordinances.

(3) (e) *Legislative council.* For the legislative council, biennially, the amounts in the schedule for the execution of its functions under ss. 13.81 to 13.83 and 13.91 to conduct research, to develop studies and to assist the *committees of the legislature*.

(f) *Joint committee on legislative organization.* For the *joint committee on legislative organization*, as a continuing appropriation, the balance in the appropriation made by s. 20.765 (3) (fs), 1967 stats., for special studies contracted or otherwise approved by the joint committee under s. 13.90.

(4) (d) *Council for consumer affairs.* The amounts in the schedule for general program operations of the council on consumer affairs. Moneys appropriated under this paragraph shall be used to review existing state consumer protection activities and to make program and statutory recommendations to the *legislature* which would improve existing or create new state and local consumer protection activities.

20.865 Program supplements.

(1) (c) *Pay plan adjustments.* (intro.) A sum sufficient to pay the cost of pay adjustments approved by the *joint committee on employment relations* under s. 230.12 and by the *legislature*, when required, for employes of the classified service and comparable adjustments for those employes in the unclassified service, except those included under ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f) as determined and allocated under subds. 1 and 2. Unclassified employes included under s. 20.923 (2) need not be paid comparable adjustments.

(ci) *University system faculty and academic pay adjustments.* A sum sufficient to pay the cost of pay adjustments *approved by the legislature* or the *joint committee on employment relations* under s. 230.12 (3) (e) for university of Wisconsin system employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d).

(cm) *Collective bargaining agreements.* A sum sufficient to pay the cost of salary adjustments, fringe benefits, or other costs *approved by the legislature* under s. 111.92.

(2) (b) *Parking rental cost; GEF I.* The amounts in the schedule to pay parking rental expenses in general executive facility -1 for constitutional officers and employes designated under s. 16.843, and in accord with a biennial parking plan adopted by the *joint committee on legislative organization*.

(5) PAYMENT OF COMPENSATION ADJUSTMENTS. All compensation adjustments for state employes *approved by the legislature* shall take effect and be earned at the beginning of the pay period closest to July 1 or the appropriate statutory or administrative date. In the odd-numbered years, payments for

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such approved increases, including those to be paid from the appropriation under sub. (1) (cm), shall not be made prior to enactment of the biennial budget bill.

20.866 Public debt.

(2) (x) *Building commission; previous lease rental authority.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to the building commission to acquire, construct, develop, enlarge or improve facilities *authorized by the legislature* prior to July 1, 1969. The state may contract public debt in an amount not to exceed $366,600,000 for this purpose.

(xa) *Building commission; refunding corporation tax supported debt.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to fund or refund the whole or any part of any unpaid indebtedness used to finance facilities in which lease rental payments are paid from general purpose revenue and incurred prior to January 1, 1970, by the Wisconsin state agencies building corporation or the Wisconsin state public building corporation. The state may contract public debt in an amount not to exceed $168,413,400 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. Upon incurring any portion of the debt authorized by this paragraph, the department of administration shall reduce this authority by the amount refinanced and correspondingly increase by the same amount the appropriate authority in par. (s), (v), (w), (y) or (zm) for which purpose the debt was refinanced. It is the intent of the *legislature* that this refunding authority only be used if the net interest costs to the state can be reduced.

(xb) *Building commission; refunding corporation self-amortizing debt.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to fund or refund the whole or any part of any unpaid indebtedness used to finance self-amortizing facilities in which program revenues reimburse lease rental payments advanced by general purpose revenue, and incurred prior to January 1, 1970, by the Wisconsin state agencies building corporation, Wisconsin state colleges building corporation or Wisconsin university building corporation. The state may contract public debt in an amount not to exceed $135,680,200 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. Upon incurring any portion of the debt authorized by this paragraph, the department of administration shall reduce this authority by the amount refinanced and correspondingly increase by the same amount the appropriate authority in par. (t), (u), (ur) or (zz) for which purpose the debt was refinanced. It is the intent of the *legislature* that this refunding authority only be used if the net interest costs to the state can be reduced.

(xc) *Building commission; refunding tax supported general obligation debt.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to refund the whole or any part of any unpaid indebtedness used to finance facilities in which general obligation bonds are paid from general purpose revenue. The state may contract public debt in an amount not to exceed $70,000,000 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. Upon incurring any portion of the debt authorized by this paragraph, the department of administration shall reduce this authority by the amount refinanced and correspondingly increase by the same amount the appropriate authority in par. (s), (tm), (v), (w), (y), (z), (zb), (zd), (zf), (zh), (zj) or (zm) for which purpose the debt was refinanced. It is the intent of the *legislature* that this refunding authority only be used if the net interest costs to the state can be reduced.

(xd) *Building commission; refunding self-amortizing general obligation debt.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to refund the whole or any part of any unpaid indebtedness used to finance facilities in which general obligation bonds are repaid from program revenues or segregated funds. The state may contract public debt in an amount not to exceed $30,000,000 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. Upon incurring any portion of the debt authorized by this paragraph, the department of administration shall reduce this authority by the amount refinanced and correspondingly increase by the same amount the appropriate authority in par. (t), (tp), (u), (ug), (ur), (ut), (zn) or (zz) for which purpose the debt was refinanced. It is the intent of the *legislature* that this refunding authority only be used if the net interest costs to the state can be reduced.

20.923 Statutory salaries.

(2) (a) (intro.) The annual salary for each of the following positions shall be set at the midpoint of the assigned salary range for its respective executive salary group in effect at the time of taking the oath of office, except as provided in pars. (b) to (i) and shall become effective immediately for all incumbent constitutional and other elected state officials, subject to article IV, section 26 of the Wisconsin constitution and for any subsequently elected official who takes his or her oath following August 5, 1973, except that no adjustment is effective until it is ratified under sub. (1); and except that no such annual salary established in this subsection shall include the additional one percent increase provided for nonrepresented state employes in 1976-77 by chapter 224, laws of 1975, section 145f.

6. *Legislature, member.* executive salary group 2.

(4) (d) 9. *Legislature,* revisor of statutes bureau: director.

(e) 6. *Legislature,* legislative council: executive secretary.

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7. *Legislature*, legislative audit bureau: director.

8. *Legislature*, legislative fiscal bureau: director.

9. *Legislature*, legislative reference bureau: chief.

(6) (intro.) SALARIES SET BY APPOINTING AUTHORITIES. Salaries for the following positions may be set by the appointing authority, subject to restrictions otherwise set forth in the statutes.

(h) *Legislature*: policy research personnel, administrative assistants to *legislators*, and research staff to legislative committees and party caucuses.

22.16 Emergency government.

(3) (b) The governor may:

1. Proclaim a state of emergency for the state or any portion thereof if he determines that an emergency resulting from enemy action or natural or man-made disaster exists. The duration of such state of emergency shall not exceed 60 days as to emergencies resulting from enemy action or 30 days as to emergencies resulting from natural or man-made disaster, *unless* either is *extended by joint resolution of the legislature*. A copy of the proclamation shall be filed with the secretary of state. The proclamation may be revoked at the discretion of either the governor by written order or the *legislature by joint resolution*.

22.17 Emergency seat of state government.

(2) EXERCISE OF GOVERNMENTAL AUTHORITY. While the seat of government remains at such temporary location all official acts required by law to be performed at the seat of government by any officer, independent agency, department or authority of this state, including the convening and meeting of the *legislature* in regular or special session, shall be as valid and binding when performed at such emergency temporary location as if performed at the normal location.

22.20 Succession to office.

(2) (c) "Office" includes all state and local offices, the powers and duties of which are defined by law, except the office of governor, and except those in the *legislature* and the judiciary. An "officer" is a person who holds an office.

(3) EMERGENCY INTERIM SUCCESSORS TO OFFICE OF GOVERNOR. If the governor is unavailable, and if the lieutenant governor and the secretary of state are unavailable, the attorney general, state treasurer, *speaker of the assembly*, and the *president pro tempore of the senate* shall in the order named if the preceding named officers are unavailable, exercise the powers and discharge the duties of the office of governor until a new governor is elected and qualified, or until a preceding named officer becomes available; but no emergency interim successor to the aforementioned offices may serve as governor.

(9) PERIOD IN WHICH AUTHORITY MAY BE EXERCISED. Officials authorized to act as governor pursuant to this section and emergency interim successors are empowered to exercise the powers and discharge the duties of an office as herein authorized only during the continuance of an emergency resulting from enemy action in the form of an attack. The *legislature, by joint resolution, may at any time terminate* the authority of said emergency interim successors to exercise the powers and discharge the duties of office as herein provided.

22.41 Additional powers to provide facilities.

(3) The state shall be liable for accrued rentals and for any other default under any lease or sublease made under sub. (2) (c) and may be sued therefor on contract as in other contract actions under ch. 285, except that ~~it shall not be necessary for the lessor~~ under any such lease or sublease or any assignee of such lessor or any person or other legal entity proceeding on behalf of such lessor *to file any claim with the legislature* prior to the commencement of any such action.

23.09 Conservation act.

(2) DEPARTMENTAL RULES; STUDIES; SURVEYS; SERVICES; POWERS; LONG-RANGE PLANNING. (intro.) The department [of natural resources] may make such rules, inaugurate such studies, investigations and surveys, and establish such services as it deems necessary to carry out the provisions and purposes of this section. The department shall establish long-range plans, projects and priorities for conservation. The department may:

(d) *Lands, acquisition.* (intro.) Acquire by purchase, lease or agreement, and receive by gifts or devise, lands or waters suitable for the purposes enumerated in this paragraph, and maintain such lands and waters for such purposes; and may condemn lands or waters suitable for such purposes after obtaining approval of the *appropriate standing committees* of each *house of the legislature* as determined by the *presiding officer* thereof:

(6) INTERPRETATION, LIMITATIONS. This section shall not be construed as authorizing the department to change any penalty for violating any game law or regulation, or change the amount of any license *established by the legislature*, or to extend any open season or bag limit on migratory birds prescribed by federal law or regulations, or to contract any indebtedness or obligation beyond the appropriations made by the *legislature*.

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23.31 Recreation resources facilities. To provide and develop recreation facilities within this state, the natural resources board, with the approval of the governor and subject to the limits provided in s. 20.866 (2) (tp), may direct that state debt be contracted for providing recreation resources facilities or making additions to existing recreation resources facilities. By January 1 of each year, the board shall submit to the governor an expenditure plan for recreation projects for which public debt will be contracted in the following fiscal year. The plan shall specify the functional areas on which the department will place fiscal emphasis in the succeeding fiscal year as well as delineating specific acquisition and development objectives. Performance toward meeting these objectives will determine acquisition and development objectives for the succeeding fiscal year. No contract in anticipation of public debt may be entered into by the board until the governor has approved the plan and no deviation from the plan may be made without the approval of the governor. Beginning with its 1973-75 budget request and biennially thereafter, the board shall include in its request for recreational acquisition and development funding under s. 23.30 and this section an expenditure plan. Such plan shall contain the policies regarding the priority types of land to be acquired and the nature and categories of the developments to be undertaken. Changes in priority types of land to be acquired and in categories of developments may not be made without approval of the governor. Any deviation which the governor approves shall be reviewed by the *joint committee on finance*. The debt shall be contracted for in the manner and form as the *legislature* hereafter prescribes. It is the *intent of the legislature that state debt* not to exceed $56,055,000 in the 12-year period from 1969 to 1981 may be incurred for the comprehensive provision of outdoor recreation facilities as provided by s. 23.30.

25.17 Powers and duties of board. [State of Wisconsin Investment Board]

(3) (bc) 2. A cumulative total of not more than $400,000 may be advanced under this paragraph upon the request of the higher educational aids board. However, the investment board shall advance such funds only when the *joint committee on finance* determines that the liquidity of the general fund is not in danger to a point which will not permit this state to pay its obligations as they arise, and subsequently approves advance of such funds based upon such determination. Requests for the advance of funds shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6).

(bf) 2. A cumulative total of not more than $55,000,000 may be advanced under this section upon the request of the higher educational aids board. However, the investment board shall advance the funds only when the *joint committee on finance* acting under s. 13.101 determines that the liquidity of the general fund is not in danger to a point which will not permit this state to pay its obligations as they arise, and subsequently approves advance of the funds based upon such determination.

25.41 State housing authority reserve fund.

(2) Except for the purpose of investment as provided in s. 25.17 (2) (c), moneys in the fund shall be used only for the purpose of funding the appropriation to the housing rehabilitation loan program loan loss reserve fund under s. 20.490 (2) (q). Nothing in this section may be construed as limiting the power of the *legislature*, at any time, to abolish the fund.

27.01 State parks. [The department of natural resources may]

(2) (h) Designate by appropriate name any state park not expressly named by the *legislature*.

28.02 State forests lands.

(2) ACQUISITION. The department [of natural resources] may acquire lands or interest in lands by grant, devise, gift, condemnation or purchase within the boundaries of established state forests or purchase areas; and outside of such boundaries for forest nurseries, tracts for forestry research or demonstration and for forest protection structures, or for access to such properties. In the case of condemnation the department shall first obtain approval from the *appropriate standing committees* of each *house of the legislature* as determined by the *presiding officer* thereof.

28.03 State forests.

(3) DEPARTMENT MAY NAME. The department [of natural resources] may designate by appropriate name any state forest not expressly named by the *legislature*.

29.175 Nongame species.

(3) Any action by the department [of natural resources] to create, amend or repeal a rule under this section after notice, hearing and publication as provided under ss. 227.02 to 227.027, shall be forwarded to the *speaker of the assembly* and the *president of the senate* for referral to and review by the *appropriate standing committee* of each *house* as determined by the *presiding officer* of each. For the purpose of reviewing such proposed action on a rule, the *standing committee* may be convened upon call of its chairperson or of a majority of its members. Each *standing committee* may, within 40 days from receipt of the proposed action, approve or disapprove the proposed action, but failure of a *standing committee* to disapprove the proposed action within the review time shall constitute approval thereof. The proposed action shall become effective only upon the approval of both committees. This subsection does not apply to emergency rules adopted under s. 227.027.

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29.33 Commercial fishing in outlying waters.

(9) APPROVAL OF RULES. This subsection does not apply to emergency rules adopted under s. 227.027.

(a) *Role of legislative council.* Prior to any public hearing on a proposed rule under this section, or if no public hearing is required, prior to notification of the *standing committees*, the department [of natural resources] shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the department and the revisor to:

1. Review the statutory authority under which the department intends to adopt the rule. The legislative council shall notify the department, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

2. Ensure that the procedures for the promulgation of a rule required by this chapter are followed.

3. Review proposed rules for form, style and placement in the administrative code.

4. Review proposed rules to avoid conflict with or duplication of existing rules.

5. Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

6. Streamline and simplify the rule-making process.

7. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

8. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(b) *Legislative council to assist standing committees.* The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the department submits under this section.

(c) *Notification of standing committees.* The department shall notify *appropriate standing committees* when proposed rules under this section are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The department may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

(d) *Form of notice.* The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(e) *Standing committee review.* 1. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the department to attend the meeting and hold public hearings to review the proposed rule.

2. The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the department to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

3. The department may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

4. Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the department may promulgate the rule.

(f) *Joint committee for the review of administrative rules.* 1. If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules*.

2. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

3. The department may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or unless a law is properly enacted under subd. 5. The department may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

4. The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the department for further consideration or public hearings or both.

5. If the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

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29.415 Endangered and threatened species protected.

(9) RULES. Any action by the department [of natural resources] to create, amend or repeal a rule under this section after notice, hearing and publication as provided under ss. 227.02 to 227.027, shall be forwarded to the *speaker of the assembly* and the *president of the senate* for referral to and review by the *appropriate standing committee* of each *house* as determined by the *presiding officer* of each. For the purpose of reviewing such proposed action on a rule, the *standing committee* may be convened upon call of its chairperson or of a majority of its members. Each *standing committee* may, within 40 days from receipt of the proposed action, approve or disapprove the proposed action, but failure of a *standing committee* to disapprove the proposed action within the review time shall constitute approval thereof. The proposed action shall become effective only upon the approval of both committees. This subsection does not apply to emergency rules adopted under s. 227.027.

30.19 Enlargement and protection of waterways.

(1) PERMITS REQUIRED. Unless a permit has been granted by the department [of natural resources] or authorization has been granted by the *legislature*, it is unlawful:

(a) To construct, dredge, commence or do any work with respect to any artificial waterway, canal, channel, ditch, lagoon, pond, lake or similar waterway where the purpose is ultimate connection with an existing navigable stream, lake or other body of navigable water, or where any part of such artificial waterway is located within 500 feet of the ordinary high-water mark of an existing navigable stream, lake or other body of navigable water.

(b) To connect any natural or artificially constructed waterway, canal, channel, ditch, lagoon, pond, lake or similar waterway with an existing body of navigable water, for navigation or any other purpose.

(c) To grade or otherwise remove top soil from the bank of any navigable stream, lake or other body of navigable water where the area exposed by such grading or removal will exceed 10,000 square feet.

(d) This section shall not apply to the construction and repair of public highways or to any agricultural uses of land, nor to any navigable body of water located wholly or partly in any county having a population of 500,000 or more.

30.30 Municipal authority to make harbor improvements.

(8) LEASE OF WHARFING PRIVILEGES. Lease the wharfing privileges of navigable waters at the ends of streets, giving preference to owners of adjoining land, and prescribe or regulate the fees to be charged for wharfage at such places. No buildings shall be erected on the ends of streets, and a free passage over the same for all persons with their baggage shall be reserved; but nothing herein shall be construed to prohibit the erection of public buildings by a municipality within a filled in area of a lake or river where such municipality has been granted specific authority therefor by the *legislature*, or in conjunction therewith, in any street end or approaches thereto. No such construction on any street end or approaches shall prevent access to the navigable water. If the municipality has established a board of harbor commissioners, the municipality may delegate to such board the powers conferred by this subsection.

30.38 Powers and duties of boards of harbor commissioners.

(1) RELATIONSHIP TO MUNICIPALITY'S GOVERNING BODY. (a) Except as otherwise expressly provided, a board of harbor commissioners may exercise its powers and perform its duties without first obtaining the consent of the governing body of the municipality which created it, but in no event is the board empowered to financially obligate in any manner this state without the consent of the *state legislature*, or the municipality in which it operates without the consent of the governing body of such municipality.

30.92 Recreational boating facilities.

(5m) APPROVAL OF RULES. This subsection does not apply to emergency rules adopted under s. 227.027.

(a) *Role of legislative council.* Prior to any public hearing on a proposed rule under this section, or if no public hearing is required, prior to notification of the *standing committees*, the department [of natural resources] shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the department and the revisor to:

1. Review the statutory authority under which the department intends to adopt the rule. The legislative council shall notify the department, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

2. Ensure that the procedures for the promulgation of a rule required by this subsection and ch. 227 are followed.

3. Review proposed rules for form, style and placement in the administrative code.

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4. Review proposed rules to avoid conflict with or duplication of existing rules.

5. Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

6. Streamline and simplify the rule-making process.

7. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

8. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(b) *Legislative council to assist standing committees.* The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the department submits under this section.

(c) *Notification of standing committees.* The department shall notify *appropriate standing committees* when proposed rules under this section are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The department may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

(d) *Form of notice.* The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(e) *Standing committee review.* 1. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the department to attend the meeting and hold public hearings to review the proposed rule.

2. The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the department to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

3. The department may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

4. Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the department may promulgate the rule.

(f) *Joint committee for the review of administrative rules.* 1. If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules*.

2. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

3. The department may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or until the bill in subd. 5 fails of enactment. The department may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

4. The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the department for further consideration or public hearings or both. If the joint committee disapproves a proposed rule, the department may not promulgate the proposed rule until the bill in subd. 5 fails of enactment.

5. When the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the committee shall as soon as possible place before the *legislature*, a bill to support the disapproval. If such bill is defeated, or fails of enactment in any other manner, the proposed rule or portion of the proposed rule may be promulgated. If the bill becomes law, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

31.11 Certificate of terms and forfeiture of permits. The department [of natural resources] shall issue to every grantee of a permit a certificate evidencing a grant of the permit allowed by law. Every permit, and every franchise heretofore granted by the *legislature*, to construct, maintain and operate a dam shall become null and void, unless the dam thereby authorized be completed within 5 years from the time when the permit or the franchise was granted; but the department, for good cause, may extend such time for a period not exceeding 2 years.

31.13 Raising or enlarging existing dams.

(1) (b) If constructed by legislative permission, a statement of the *act of the legislature* authorizing the same.

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32.02 Who may condemn; purposes.

(16) The department of natural resources with the approval of the *appropriate standing committees* of each *house* of the *legislature* as determined by the *presiding officer* thereof and as authorized by law, for acquisition of lands.

33.02 Department; powers and duties. (1) RULES. The department [of natural resources] shall adopt rules as necessary to administer this chapter, but a rule shall not take effect until submitted to a *senate and an assembly committee* dealing with agriculture and a *senate and an assembly committee* dealing with natural resources. Such rules shall provide for the administration of financial aids to districts and shall prescribe data to be secured, methods of analysis and evaluation, duration of data gathering and other technical regulations for the efficient administration of the program and efficient intergovernmental organization.

35.015 Exempt printing.

(2) Any printing for a single job which the department [of administration] determines may be printed at a cost less than $50, other than stationery required for the use of the state, printing authorized and required by the *legislature* to be done for its use, or printing authorized and required by law to be done for the state, is not subject to this chapter.

35.05 Printing in general, how ordered and executed. (1) All printing for the *legislature* shall be in such form and printed in such manner and amount as may be determined by the joint rules of the *legislature*, or in the case of printing of a nature that is the concern of one *house* only, then as determined by that *house*.

(2) (a) When the *senate* or the *assembly* determines the form or amount of printing for its own use, such determination or such regulations as may be considered appropriate governing such printing, may be made by the rules of the *house* or by resolution or by the *senate committee on organization* for the *senate* or the *assembly committee on organization* for the *assembly*, subject to final decision by their respective *houses*.

(b) When printing concerns both *houses* the form or amount of such printing may be determined by the joint rules or by joint resolution or by the *joint committee on legislative organization*, subject to any provisions of the joint rules or joint resolutions.

(3) All printing for which the format, number of copies or other features prescribed by statute is now repealed, or which had a customary form, number of copies or other features, shall continue to conform to such format, other requirements or customary form *until changed by* or under authority of *statute, joint rule or rule* of either *house*.

(4) When legislative proposals, legislative publications or other printing is required for the *legislature*, including revision or correction bills for the revisor of statutes, bills or reports for the legislative council or legislative proposals of members intended for introduction by them, such printing may be ordered by the chief clerk of either *house* or by other authorized persons during any session of the *legislature* or recess thereof, pursuant to such regulations as either *house* shall establish.

(5) (a) Whenever either *house* requires any printing for its exclusive use and whenever any joint action of both *houses* is taken requiring any printing to be done, the chief clerk of the *house* where such action originates shall issue a printing requisition to the department, and the department shall procure the printing from the contract printer selected for the printing under section 25 of article IV of the constitution.

(b) If there is no contract in force for class 1 public printing, the chief clerks shall deliver copy to the department which shall have it printed in accordance with the statutes.

(c) Any member or officer of the *legislature* entitled to stationery or other personalized printing may elect to have the printing performed by a printer other than the contract printer under par. (a) if par. (a) is otherwise complied with, but no voucher for printing to be performed other than by the contract printer selected through the department of administration shall be approved unless the cost of the printing will be the same as, or less than, the cost of obtaining the printing from the contract printer.

(d) Any member or officer of the *legislature* entitled to personalized printing may specify that his or her personalized printing shall be produced using paper with best-available recycled content.

(e) The design of the letterhead and envelope for each member or officer of the *legislature* shall be approved as provided by the *house* in which the member or officer serves; provided, that for personalized printing nothing on the finished product may indicate the printer who performed the work.

(6) Any provision in the rules of the *senate* or the *assembly* or of the joint rules relating to printing shall continue in effect during any recess or adjournment of the *legislature* as though the *legislature* had continued in session and shall likewise continue in effect following the convening and during any other special or regular session *until such provision is modified or repealed*.

35.15 Wisconsin session laws.

(1) Immediately after the end of each session of the *legislature*, the legislative reference bureau shall prepare, for publication by the secretary of state, camera-ready copy for a volume denominated

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"Wisconsin Session Laws," and identified by the year in which that session began. (a) The volume shall contain all acts enacted during such session, all important joint resolutions of the session, and an alphabetical index to the volume prepared by the legislative reference bureau in consultation with the revisor of statutes. (b) The copy shall show the date of newspaper publication of each act and joint resolution, the number of the proposal from which it originated and the *house* in which it originated and shall be in the form prescribed by the joint rules. The copy shall omit the signature of the officers affixed to the enrolled act or joint resolution. (c) The copy shall be delivered to the department within 10 working days from publication of the last act under s. 985.04 (2). The department shall determine the number of copies to be printed. (d) After making the necessary comparison, the chief of the legislative reference bureau shall issue a certificate, to be filed in the office of the secretary of state as a public record, that he or she has compared the printed acts with the original acts on file in the office of the secretary of state, and that they appear to be correctly printed. Each volume of the session laws shall contain a printed copy of such certificate.

(2) If the *legislature* adjourns for an extended period before sine die adjournment, but such adjournment is for less than 60 days, the secretary of state shall publish the session laws in one volume. If such adjournment is for more than 60 days, the secretary of state may publish the first volume of the session laws in such manner that laws enacted at the adjourned session are printed as a pocket supplement. The laws enacted at such adjourned session shall be printed as a pocket supplement unless the content thereof is so great that a separate bound volume is necessary.

35.22 Evidence. Wisconsin statutes shall be prima facie evidence in all courts and proceedings as provided by s. 889.01; but they shall not preclude reference to, nor control, in case of any discrepancy, any original *act of the legislature*, and the certified volumes of session laws provided for by s. 35.15 shall also and in the same degree be prima facie evidence in all courts and proceedings.

35.265 State budget, copies. The governor may issue not to exceed 1,000 copies of the state budget report, as many copies of the budget report in brief as are necessary to equal the number of budget bills printed, and not to exceed 1,000 copies of his or her budget review report. The cost of these reports shall be charged to the department [of administration]. After making the required distribution of the state budget report and budget review report to the executive and legislative agencies and *members of the legislature*, the remaining copies may be distributed to individuals upon payment of a fee of $8 per report. Fees collected by the department under this section shall be deposited in the general fund.

35.24 Blue Book.

(1) (a) The Blue Book shall contain the biographies and pictures of state officers, *senators* and *representatives to the assembly* and officers of each *house*, information pertaining to the organization of Wisconsin state government, and statistical and other information of the same general character as that heretofore published, but so selected and condensed as will limit the number of pages to 1,000 or less. In making such selection the legislative reference bureau is directed to consult freely with the state superintendent and the director of the historical society, and insofar as possible, make the book useful for civics classes in schools.

(2) (intro.) One-half of the total number printed of each edition of the Blue Book shall be cloth bound in hard covers, and shall have a blue spine. The remaining one-half of each edition shall be bound in a substantial soft cover.

(a) For the distribution of Blue Books under s. 35.84 in allotments of 200 copies or more, the same ratio of hard cover copies to paper bound copies shall apply.

(3) Reprints of the feature article shall be bound in paper covers and shall be in such quantity as is authorized for each specific reprint by the *joint committee on finance* acting under s. 13.101 on the basis of funds allotted by the committee for this purpose.

35.50 Specifications.

(3) Specifications for class 1 state printing shall be determined by the department [of administration] with the advice and approval of the *joint committee on legislative organization*.

35.84 Distribution, to whom.

(1) Blue books for distribution. The department [of administration] shall contact each *member of the legislature*. Each *senator* may request not to exceed 400 copies. Each *representative to the assembly* may request not to exceed 250 copies.

35.85 Other distribution.

(1) The chief clerk of each *house of the legislature* shall, upon request, be supplied for use during the session with the bound journals of any previous session of the *legislature*. The department [of administration] may sell such copies of the bound journals not required for the above distribution or for distribution otherwise prescribed by law, and may sell older editions at reduced prices. All prices shall be fixed by the department.

(2) (b) Of every governor's message to the *legislature* and of every public document or circular printed at the expense of this state including, without limitation because of enumeration, the operating

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reports of the several departments and agencies of state government and reports publishing the results of studies by state departments and agencies, to every depository library under s. 43.05 (7) the number of copies designated by the state superintendent of public instruction.

(7) There shall be delivered to the historical society 3 copies of every document reproduced at the expense of the state. The chief clerks of the *legislature* are responsible for the delivery of all legislative documents, and the department for all other public documents. Distribution shall also be made to the legislative reference bureau in accordance with sub. (11m).

(11) The chief clerks of the *legislature* shall promptly send to each county clerk, to the Milwaukee county law library, and upon application, to each state university, college and public library in this state, copies of all legislative documents together with proper filing appliances for all sessions. Each county clerk shall keep these documents open to public inspection in his office.

(11m) The proper officers of the respective *houses of the legislature*, the department of administration or the department or agency of origin, as the case may be, shall promptly deliver to the legislative reference bureau, as printed or otherwise reproduced, 3 copies of each message, report, bulletin, circular or other public document of whatever character excluding forms, printed or otherwise reproduced in sufficient quantity at the expense of the state. One copy of each document received by the legislative reference bureau under this subsection shall be retained in the bureau's noncirculating reference collection of Wisconsin state documents for such period as the bureau deems reasonable.

35.87 Sales of legislative documents. The department [of administration] may provide as a service to paid subscribers routine distribution of copies of all bills, joint resolutions, amendments, acts, journals, bulletins of proceedings and hearing bulletins printed for the *legislature*. The biennial fee, effective January 1 of each odd-numbered year, for subscription to the complete legislative document distribution service shall be based on 20% of prior session actual printing costs of such documents, as determined by the legislative reference bureau and the department. Portions of the service may be made available for a fee equal to a percentage of the fee for the total service, based on the respective percentages of total printing costs. Actual postage or delivery costs shall be added for those subscribers who do not pick up their documents. The department shall certify to the chief clerks of the 2 *houses* the name of each person purchasing such services, naming the type of materials purchased, and the chief clerks shall provide for the distribution of such materials during the session for which purchased. The department shall pay all moneys received for subscriptions to the service into the general fund within one week of receipt.

35.88 Laws and court reports to remain public property. All volumes of Wisconsin session laws, statutes, annotations and supreme court reports distributed to any state or other public officer, except members and officers of the *legislature* and officers of the United States, shall have stamped or written thereon the name of his office, together with the words "State Property" and shall be kept for the use of such office.

35.93 Wisconsin administrative code and register.

(6) (g) To *members of the legislature*, one copy to each member who makes a request therefor;

36.09 Responsibilities. (1) THE BOARD OF REGENTS.

(g) The board shall not create nor discontinue any university or center unless specifically *authorized by the legislature* in each instance.

(gm) (intro.) The board shall not create, except as specifically *authorized by the legislature* in each instance, any new college, school or its functional equivalent if such college, school or functional equivalent has academic programs at the graduate or professional, post-baccalaureate level.

(j) The board shall establish salaries for persons not in the classified staff prior to July 1 of each year for the next fiscal year, and shall designate the effective dates for payment of the new salaries. In the first year of the biennium, payments of the salaries established for the preceding year shall be continued until the biennial budget bill is enacted. If the budget is enacted after July 1, payments shall be made following enactment of the budget to satisfy the obligations incurred on the effective dates, as designated by the board, for the new salaries, subject only to the appropriation of funds by the *legislature* and s. 20.865 (5). This paragraph shall not limit the authority of the board to establish salaries for new appointments. The board shall not increase the pay of employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d) under this paragraph unless it conforms to the proposal as approved under s. 230.12 (3) (e) or is authorized by the board to correct salary inequities under par. (h) or to fund job reclassifications.

36.11 Powers of the board of regents.

(10) UNIVERSITY FUND. The board may expend such portion of the income of the university fund on or at the university of Wisconsin-Madison as is appropriated by the *legislature* for the erection of buildings and the purchase of equipment or books.

36.27 Tuition.

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(3) (e) In addition to the number of remissions of nonresident tuition authorized under this section, each *state senator* and each *representative to the assembly* may authorize a university or center or department or school of a university or center to recommend a nonresident whose scholastic qualifications entitle such person to attend a university or center and whose nonresident tuition for a semester or the school year for which recommended shall be remitted by the board. Not more than one such remission per semester shall be made for any one *legislator* and each nonresident whose tuition shall have been remitted under this paragraph shall be entitled to continue in attendance for the period for which recommended if the nonresident continues to meet the system's general standards for continuance therein as a student. Such recommendations shall be submitted either annually or each semester to the board in such manner as the board designates not later than the end of the first week of instruction for the semester in which the remission of tuition is to be effective. A *legislator* who assumes office during a school year may authorize a university or center or department or school of a university or center to make a recommendation for the 2nd semester of that year only when an authorization of the *legislator's* predecessor is not effective for that term. Should any nonresident student who is recommended fail to matriculate for any semester a successor for such semester may be recommended by such university or center or department or school of a university or center.

39.15 Aid for medical education. As a condition to the release of funds under s. 20.250, one-third of the members of the board of trustees of the medical college of Wisconsin, inc., shall be nominated by the governor, and *with the advice and consent of the senate appointed*, for staggered 6-year terms expiring on May 1 and the college shall give first preference in admissions to residents of this state. The legislative audit bureau shall biennially postaudit expenditures under s. 20.250 so as to assure the propriety of expenditures and compliance with legislative intent. State affirmative action policies, rules and practices shall be applied to the medical college of Wisconsin, inc. consistent with their application to state agencies.

39.33 Guaranteed student loan program.

(3) The [higher educational aids] board or the *legislature* or any person delegated by the *legislature may inspect and exmine* or cause an inspection and examination of all records relating to all programs that are, or are to be, administered under contractual agreement between the board and the corporation.

39.76 Compact commission delegation. (1) [part] STATE REPRESENTATION ON THE EDUCATION COMMISSION OF THE STATES. There is created a 7-member delegation to represent the state of Wisconsin on the education commission of the states. The delegation shall consist of the governor, the state superintendent of public instruction, one *senator* and one *representative to the assembly* selected as are the members of *standing committees* in their respective *houses*, and 3 members appointed by the governor in compliance with Article III (A) of the compact under s. 39.75 who shall serve at the pleasure of the governor. The chairperson of the delegation shall be designated by the governor from among its members....

40.10 Group insurance board.

(4) GROUP INSURANCE. The board shall not enter into any new agreements to modify or expand group insurance coverage which would materially affect the level of premiums required to be paid by the state or its employes, or the level of benefits to be provided under any such coverage except for any such changes approved under ss. 111.92 and 230.12 by the *joint committee on employment relations* and the *legislature* or as otherwise required by law.

40.11 Definitions.

(2) (a) 2. Is a member or employe of the *legislature*, a state constitutional officer, a justice of the supreme court, a court of appeals judge, a circuit judge or the chief clerk or sergeant at arms of the *senate* or *assembly*.

(d) Subsequent to the effective date of participation by the state or any employer, no person who has attained age 65 at the time of becoming initially eligible under this subchapter shall be included, but this provision does not exclude from participation in the state's group health and accident insurance plan any *member of the legislature* who has attained age 65.

40.205 Local employes: income continuation insurance.

(2) The [group insurance] board may by rule establish the terms and conditions of the income continuation insurance plan provided under this section. No such plan may provide for contributions exceeding 50% of the total cost to be made by the employer. Any action by the board to create, amend or repeal a rule under this section after notice, hearing and publication as provided under ss. 227.02 to 227.027, shall be forwarded to the *speaker of the assembly* and the *president of the senate* for referral to and review by the *appropriate standing committee* of each *house* as determined by the *presiding officer* of each. For the purpose of reviewing such proposed action on a rule, the *standing committee* may be convened upon call of its chairperson or of a majority of its members. Each *standing committee* may, within 40 days from receipt of the proposed action, approve or disapprove the proposed action, but

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failure of a *standing committee* to disapprove the proposed action within the review time shall constitute approval thereof. The proposed action shall become effective only upon the approval of both committees. This section does not apply to emergency rules adopted under s. 227.027.

41.02 Definitions.

(14) Any participating employe who originally obtained membership in the Wisconsin retirement fund under provisions of the statutes relating to supreme court justices, court of appeals judges, circuit judges, *members of the state legislature* or state constitutional officers who later accepts employment in a state position subject to this subchapter without the occurrence of a break in service, or who accepted employment with the Wisconsin state agencies building corporation and reimburses the fund for the employe share for the period of employment, will continue to have his or her retirement annuity computed in accordance with s. 41.11 (6) (c) 3. b, or s. 41.11 (6) (d) 3. b if eligible thereunder, if the employe pays into the retirement fund a sum equal to the difference between the contributions required under s. 41.07 (2) (a) 3 or (am) 2 and the actual contributions the employe made under s. 41.07 (2) and if the employe makes all future contributions to the fund under s. 41.07 (2) (a) 3 or (am) 2.

(21) (b) If so elected by a participant, "formula final rate of earnings" means, but only with respect to any annuity computed for a participant for service as a supreme court justice, circuit judge, county judge, *member of the legislature* or state constitutional officer elected by vote of the people, one-twelfth of the annual statutory salary which would have been payable to such participant during the last completed month in which such participant was a participating employe in such a position if he had not been prohibited by law from receiving an increase in such salary during his term of office; or

(23) "Normal retirement date" means the day on which a participant attains the age of 60 years if he or she is or was a protective occupation participant; 62 years if he or she is or was a supreme court justice, court of appeals judge, circuit judge, *member of the legislature*, state constitutional officer elected by vote of the people, or a Group D participant who is or was a county or municipal officer elected by vote of the people; or 65 years otherwise; but after June 30, 1974, normal retirement date for each protective occupation participant means the day on which the participant attains the age of 55 years, and after June 30, 1969, for purposes of s. 41.11 (6), normal retirement date for each protective occupation participant means the day on which such participant attains the age of 55 years. The normal retirement date of any participant shall be determined by the employment category of the participant and the applicable statutory provisions at the earlier of either the date it is necessary to make any determination or to take any action relative to the participant for purposes of the fund, or the date of termination of employment of the participant, notwithstanding the fact that a participant may have been in one or more different employment categories at any previous time. For purposes of computing the formula annuity under s. 41.11 (6) of a participant who has creditable service in 2 or more of the categories specified in s. 41.07 (2) (a) or (am), the normal retirement date for each such category shall be used to determine the amount of annuity to be paid with respect to creditable service in each such category.

(29) (a) "Governing body" means the common council in cities, the village board in villages, the town board in towns, the county board in counties, the school board in school districts except as to schools in a city school district, or the board, commission or other governing body having the final authority for any other unit of government or for any agency or instrumentality of 2 or more units of government, or any agent duly appointed by any such body and designated in a written notice filed with the board as being authorized to act for any such body in matters pertaining to the fund. For the state there shall be a governing body for each constitutional office, department and independent agency, the court administrator and the *legislature* which governing body shall be the head of such state unit. The head of any such state unit may, in a written designation filed with the board, name an employe of the unit to act for him in all matters pertaining to the fund.

41.05 Employers included and effective dates.

(6) (t) Each participant who was a participating employe of the state on January 1, 1966, shall be given creditable service, as of such date, for all service as a *member of the legislature* and all service as a state constitutional officer elected by vote of the people, which has not previously been credited under any other provision of law. The amendment of this paragraph by chapter 581, laws of 1965 shall not affect any rights created or action taken pursuant to this paragraph prior to July 8, 1966.

41.07 Employes included; effective dates; contributions by employes, employers, state.

(2) (a) 3. For each supreme court justice, circuit judge, *member of the state legislature* and state constitutional officer, 5% of the earnings which are subject to contributions under the federal OASDHI system, plus 7% of the earnings in excess of the amount subject to the contributions.

41.09 Creditable service.

(7) Each employe of the state who is a participating employe on July 1, 1972, shall be granted as of such date creditable service for all service as a *member of the legislature* which has not been credited under any other provision of law if, prior to such date, the member makes all required contributions

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which he would have made as a participating employe during such service after January 1, 1957, and prior to the first day of the month in which he became a participating employe.

(9) The creditable service of every supreme court justice and circuit judge shall include all periods of service as a supreme court justice, circuit judge or county judge, or as full-time judge of a court of record or municipal court, or as a *member of the legislature*, or as a state constitutional officer elected by vote of the people, but excluding any such period of service for which credit has been granted under any other public retirement system in this state except as provided in s. 41.05 (6) (n), 1975 Wis. stats. The creditable service of each circuit judge who has received any supplemental salary under s. 252.071 or 253.07 (2), 1975 Wis. stats., shall also include, for the county which paid the salary, a period equal to the total period of service as a circuit judge or county judge in the county.

(11) Each employe of the *legislature*, other than a *member of the legislature*, who is a participating employe on February 18, 1972 shall be granted, as of such date, creditable service for all service as an employe of the *legislature* after December 31, 1960, which met the requirements of s. 41.02 (6), and which has not been credited under any provision of law, if, prior to March 1, 1972, the employe makes all required contributions which he would have made had he been a participating employe during such service after December 31, 1960, assuming for purposes of this subsection that his earnings during such service would have been subject to required contributions, together with interest on such contributions compounded at the effective rate to the date of payment.

41.11 Compulsory retirement; annuities.

(6) (b) 3.b. For each participant for creditable service as a supreme court justice, circuit judge, county judge, *member of the legislature* or state constitutional officer elected by vote of the people, 1$N1/5 of one per cent of his formula final rate of earnings, plus three-fifths of one per cent of his final excess OASDHI earnings, if any;

45.355 Biennial study of fiscal needs for veterans' housing. Biennially the *joint finance committee of the legislature shall study* and review the fiscal requirements for veterans' housing loans and the condition of the veterans trust fund and thereupon shall make report thereon to the *legislature* with a view to recommending proper appropriations to adequately provide for such loans. All appropriations made by the *legislature* for veterans' housing loans pursuant to recommendations so made by the *joint finance committee* shall be from the veterans trust fund or the general fund or both, as the needs may require.

45.38 Department, additional powers to provide structures, facilities and permanent improvements.

(2) (b) The state shall be liable for accrued rentals and for any other default under any lease or sublease made under par. (a) 3, and may be sued therefor on contract as in other contract actions pursuant to ch. 285, except that ~~it shall not be necessary for the lessor~~ under any such lease or sublease or any assignee of such lessor or any person or other legal entity proceeding on behalf of such lessor *to file any claim with the legislature* prior to the commencement of any such action.

45.60 Veterans memorial council.

(3) RESTRICTIONS. No structures other than the Camp Randall memorial building project shall be placed or erected upon said Camp Randall memorial park unless *authorized by the legislature*, nor shall said park be used for any purpose other than authorized in chapter 28, laws of 1913. If the Camp Randall memorial building is removed, the premises on which said building is located shall revert to Camp Randall memorial park.

45.71 Definitions.

(16) (a) 9. Viet Nam era: Between August 5, 1964, and a date of termination to be *established by the legislature*, excepting service on active duty for training purposes only.

46.03 Department, powers and duties. The department [of health and social services] shall:

(18) UNIFORM FEE SCHEDULE, LIABILITY AND COLLECTIONS. (a) The department shall establish a uniform system of fees for services provided or purchased by the department, a county department of public welfare or social services or a board under s. 51.42 or 51.437, except for services relating to adoption, or services provided to courts, for provision of child support and paternity establishment services to recipients of aid to families with dependent children or for outreach, information and referral services, or where as determined by the department, a fee is administratively unfeasible or would significantly prevent accomplishing the purpose of the service. Fees collected by a county department of public welfare or social services shall be applied by such department to cover the cost of such services. The department shall report to the *joint committee on finance* no later than January 31 of each year on the number of children placed for adoption by the department and the costs to the state for services relating to such adoptions.

(24) COMPUTER REPORTING NETWORK. Periodically report to the *joint committee on finance* regarding progress made in implementing the computer reporting network.

(26) DATA PROCESSING PROJECTS. Report each December 31 to the *joint committee on finance* and the appropriate standing committees on health and social services of each *house of the legislature*, as

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determined by the *presiding officer* thereof, regarding the data processing projects under development. The report shall include:

(a) The schedule for implementation;

(b) Estimates of development and operating costs; and

(c) Proposed methods of determining charges for service where applicable.

46.035 Department, additional powers to provide structures, facilities and permanent improvements.

(2) (b) The state shall be liable for accrued rentals and for any other default under any lease or sublease made under par. (a) 3, and may be sued therefor on contract as in other contract actions pursuant to ch. 285, except that ~~it shall not be necessary for the lessor~~ under any such lease or sublease or any assignee of such lessor or any person or other legal entity proceeding on behalf of such lessor *to file any claim with the legislature* prior to the commencement of any such action.

46.21 County board of public welfare in populous counties.

(10) (d) Upon completion of the audit report, the legislative audit bureau shall notify the *legislature*, the county board of supervisors and the secretary of health and social services that copies of the report are available on request.

46.22 County public welfare department.

(5m) PURCHASE OF CARE AND SERVICES. (c) County agencies shall submit to the department [of health and social services] plans and contracts for care and services to be purchased. Such contracts shall be developed under s. 46.036. The department shall review such contracts and approve them if they are consistent with s. 46.036 and to the extent that state or federal funds are available for such purposes. The *joint committee on finance* may require the department to submit such contracts to the committee for review and approval. The department shall not make any payments to a county for programs included in the contract which is under review by the committee. If the committee requires the submittal of the contracts, approval of the contracts shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6). The department shall reimburse each county for such approved contracts from the appropriations under s. 20.435 (4) (df) and (p) according to s. 49.52, or from the appropriation under s. 20.435 (2) (b).

46.90 Displaced homemakers act.

(4) EVALUATION. (a) The department [of health and social services] in consultation with appropriate persons, shall prepare and furnish to the *legislature* evaluations of the center established under this section. Such evaluation shall include a thorough assessment of the center; and recommendations concerning the administration and expansion of this and other possible centers.

(b) The department shall submit to the *legislature* the first of the evaluations required under this subsection not later than 18 months after May 19, 1978. Subsequent evaluations shall be made every 2 years.

52.10 Revised uniform reciprocal enforcement of support act (1968).

(17) (a) 1. [The department of health and social services shall] Compile a list of the courts and their addresses in this state having jurisdiction under this section and transmit it to the state information agency of every other state which has adopted this or a substantially similar law. Upon adjournment of each session of the *legislature* the agency shall distribute copies of any amendments to this section and a statement of their effective date to all other state information agencies;

56.068 Leave for qualified inmates.

(5) The department [of health and social services] shall promulgate rules to implement this section. This subsection does not apply to emergency rules adopted under s. 227.027.

(a) *Role of legislative council.* Prior to any public hearing on a proposed rule under this section, or if no public hearing is required, prior to notification of the *standing committees*, the department shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the department and the revisor to:

1. Review the statutory authority under which the department intends to adopt the rule. The legislative council shall notify the department, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

2. Ensure that the procedures for the promulgation of a rule required by this chapter are followed.

3. Review proposed rules for form, style and placement in the administrative code.

4. Review proposed rules to avoid conflict with or duplication of existing rules.

5. Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

6. Streamline and simplify the rule-making process.

7. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

8. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

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(b) *Legislative council to assist standing committees.* The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the department submits under this section.

(c) *Notification of standing committees.* The department shall notify *appropriate standing committees* when proposed rules under this section are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The department may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

(d) *Form of notice.* The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(e) *Standing committee review.* 1. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the department to attend the meeting and hold public hearings to review the proposed rule.

2. The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the department to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

3. The department may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

4. Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the department may promulgate the rule.

(f) *Joint committee for the review of administrative rules.* 1. If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules*.

2. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

3. The department may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or unless a law is properly enacted under subd. 5. The department may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

4. The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the department for further consideration or public hearings or both.

5. If the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

59.025 County organization; advisory referendum.

(1) PURPOSE. The purpose of this section is to improve the ability of county government to organize its administrative structure and to govern, within constitutional limits. The state constitution now authorizes the *legislature* to establish one or more systems of county government. Consistent with this constitutional authority, it is the intent of the *legislature* to increase the organizational discretion which county government may exercise in the administration of powers conferred upon county boards of supervisors by the *legislature*. The *legislature* intends to allow county governments to conduct advisory and contingent referenda.

(2) INTENT AND CONSTRUCTION. For the purpose of giving counties the largest measure of organizational autonomy compatible with the constitution and general law, it is hereby declared that this section shall be construed in favor of the rights, powers and privileges of counties to organize and administer county functions. The powers hereby conferred shall be in addition to all other grants and shall be limited only by express language but shall be subject to the constitution and such *enactments of the legislature* of statewide concern as shall with uniformity affect every county. In the event of conflict between this section and any other statute, this section to the extent of such conflict shall prevail.

(3) (a) Create any county office, department, committee, board, commission, position or employment it deems necessary to administer functions *authorized by the legislature*.

59.997 Consolidation of counties; procedure; referendum.

(16) For the purpose of representation in congress and in the *legislature* the existing congressional, *senatorial and assembly districts* shall continue until changed in accordance with law. Such consolidated county shall in all respects, except as otherwise provided herein, be subject to all the

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obligations and liabilities imposed, and shall possess all the rights, powers and privileges vested by law in other counties.

60.19 Election of officers; special provisions.

(1) (b) In the town in any county containing one town only, in place of 3 members a town board of not more than 7 members shall be elected, consisting of one or more members chosen from the town at large and one member chosen from each town board ward, of which there shall be not less than 2 nor more than 5. A majority of such members shall constitute a quorum. The number and boundaries of the town board wards and the number of members to be elected from the town at large shall be designated by the *legislature* when the town is first established, but thereafter such wards shall be subject to reapportionment and increase or decrease in number and the number of members at large shall be subject to increase or decrease by majority vote of the town board in order to provide that all inhabitants will be adequately represented, each ward will have substantially the same number of inhabitants, the ward, insofar as is practicable, will consist of contiguous territory and will be in compact form. The total number of town board members shall not be changed from the number initially fixed by the *legislature*. The member elected from the town at large who has the highest number of votes shall become the town chairman. Such members and a town clerk, a treasurer, an assessor and one or more constables, shall be elected by ballot biennially in the odd-numbered years on the first Tuesday in April, and shall hold office for 2 years except as provided in s. 60.60 (3), but no assessor shall be elected or appointed after such town comes within the jurisdiction of a county assessor under s. 70.99.

63.18 Milwaukee city commission; appointment; terms. [part] The mayor of each city of the first class, in this state, whether such city be incorporated by special *act of the legislature* or under the general laws of the state, shall, before the fifteenth day of June following the passage of this act, or the fifteenth day of June in the year next following the first state or national census, showing such city to belong to said first class, appoint 5 persons, citizens and residents of said city, who shall constitute and be known as the board of city service commissioners of such city....

66.01 Home rule; manner of exercise.

(2) (b) Every charter ordinance which amends or repeals the whole or any part of a city or village charter shall designate specifically the portion of the charter so amended or repealed, and every charter ordinance which makes the election mentioned in subsection (4) of this section shall designate specifically each *enactment of the legislature* or portion thereof, made inapplicable to such city or village by the election mentioned in subsection (4) of this section.

(4) Any city or village may elect in the manner prescribed in this section that the whole or any part of any laws relating to the local affairs and government of such city or village other than such *enactments of the legislature* of state-wide concern as shall with uniformity affect every city or every village shall not apply to such city or village, and thereupon such laws or parts thereof shall cease to be in effect in such city or village.

(14) All laws relating to public instruction, pursuant to sections 1, 2, 3, 4 and 5 of article X of the constitution, remain and shall continue in force for the establishment, administration and government of the district schools as heretofore, *until amended or repealed by the legislature*. The term "district schools" as here used, in addition to common schools includes, among others, any and all public high schools, trade or vocational schools, auxiliary departments for instruction of pupils who are deaf or of impaired speech or blind, and truancy or parental schools.

66.39 Veterans' housing authorities.

(7) (l) To exercise all or any part or combination of powers herein granted. No provisions of law with respect to the acquisition or disposition of property by other public bodies shall be applicable to an authority unless the *legislature* shall specifically so state.

66.40 Housing authorities.

(9) (p) To exercise all or any part or combination of powers herein granted. No provisions of law with respect to the acquisition or disposition of property by other public bodies shall be applicable to an authority unless the *legislature* shall specifically so state.

71.03 Gross income and exclusions.

(2) (e) All amounts received in accordance with s. 13.123 (1) (a) which are spent for the purposes specified in s. 13.123 (1) (a). In this chapter, the place of residence of a *member of the state legislature* within the legislative district which the member represents shall be considered the member's home.

71.09 Rates of taxation, interest and personal exemptions.

(12) [ALTERNATIVE ENERGY SYSTEMS] (j) *Approval of rules.* This paragraph does not apply to emergency rules adopted under s. 227.027.

1. "Role of legislative council." Prior to any public hearing on a proposed rule under this subsection, or if no public hearing is required, prior to notification of the *standing committees*, the department of industry, labor and human relations or the department of revenue shall submit the

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proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the departments and the revisor to:

a. Review the statutory authority under which the department intends to adopt the rule. The legislative council shall notify the department, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

b. Ensure that the procedures for the promulgation of a rule required by this chapter are followed.

c. Review proposed rules for form, style and placement in the administrative code.

d. Review proposed rules to avoid conflict with or duplication of existing rules.

e. Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

f. Streamline and simplify the rule-making process.

g. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

h. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

2. "Legislative council to assist *standing committees*." The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the department submits under this section.

3. "Notification of standing committees." The department shall notify *appropriate standing committees* when proposed rules under this subsection are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The department may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

4. "Form of notice." The notice shall include the proposed rule in a form complying with s. 227.024 (1).

5. "Standing committee review." a. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the department to attend the meeting and hold public hearings to review the proposed rule.

b. The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the department to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

c. The department may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

d. Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the department may promulgate the rule.

6. "Joint committee for the review of administrative rules." a. If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules*.

b. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

c. The department may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or until the bill in subd. 6. e fails of enactment. The department may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

d. The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the department for further consideration or public hearings or both. If the joint committee disapproves a proposed rule, the department may not promulgate the proposed rule until the bill in subd. 6. e fails of enactment.

e. When the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the committee shall as soon as possible place before the *legislature*, a bill to support the disapproval. If such bill is defeated, or fails of enactment in any other manner, the proposed rule or portion of the proposed rule may be promulgated. If the bill becomes law, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

73.01 Tax appeals commission.

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(3) (b) The commission shall provide for the publication of such of its reports, decisions and opinions as are of public interest in such form as it deems best adapted for public convenience and use. Such publications shall constitute the official reports of the commission and shall be made available for sale and distribution to the public under ch. 35. In addition to its annual report under s. 15.06 (7), the commission shall make such further reports to the governor or the *legislature* as they request.

73.03 Powers and duties defined.

(16) To transmit to the governor and to each *member of the legislature*, 30 days before the meeting of the *legislature*, the report of the department [of revenue] showing all the taxable property in the state and the value of the same in tabulated form with recommendations for improvement in the system of taxation in the state, together with such measures as may be formulated for the consideration of the *legislature*.

79.16 Personal property tax relief provided through school aid and shared revenue account.

(2) (a) 1. If the *legislature* has established guaranteed valuations under s. 121.07 (7) for the school year for which the computation under this paragraph is to be made, such guaranteed valuations shall be used in computing the estimate.

2. If the *legislature* has not established guaranteed valuations for the school year for which the computation under this paragraph is to be made, the state superintendent [of public instruction] shall estimate guaranteed valuations to distribute an amount consistent with the percentage that state aid is to statewide school costs, as represented by appropriations under s. 20.255 for the current school year, excluding amounts transferred from s. 20.835 (2) (b).

80.01 Creation, alteration aud validation of highways. (1) VALIDATION OF HIGHWAYS, RECORDING. All highways laid out by the town supervisors, the county board or by a committee of the board, or by *commissioners appointed by the legislature*, or by any other authority, and recorded, any portion of which has been opened and worked for 3 years are legal highways so far as they have been so opened and worked. The filing of an order laying out any highway or a certified copy thereof in the office of the clerk of the town or the county in which the highway is situated is a recording of such highway within the meaning of this section.

84.02 State trunk highway system. (1) DESIGNATION. The system of highways known as the trunk highway system heretofore selected and laid out by the *legislature* and by the highway commission and by special legislative state trunk highway committees and approved by said highway commission and as revised, altered and changed by and under authority vested by law in the highway commission, is hereby validated and confirmed and designated the state trunk highway system but without prejudice to the exercise of the power given to change such system, and all acts by which parts of said system were heretofore adopted or declared to be trunk highways are confirmed and validated. Section 80.32 (2) does not apply to the state trunk highway system.

84.41 State liability; applicable laws; tax exemption; securing of federal aids.

(1) LIABILITY OF STATE. The state shall be liable for accrued rentals and for any other default under any lease or sublease executed under s. 84.40 and may be sued therefor on contract as in other contract actions pursuant to ch. 285, but ~~it shall not be necessary for the lessor~~ under any such lease or sublease or any assignee of such lessor or any person or other legal entity on behalf of such lessor *to file any claim with the legislature* prior to the commencement of any such action. However, the corporation or bondholders may not reenter or take possession of the highway land, easements or structures by reason of any default in the payment of rent or for any other reason.

84.51 Construction of state highways.

(2) It is the *intent of the legislature that state debt* not to exceed $185,000,000 for the construction of highways be appropriated over a 6-year period except that if funds allocated to any project hereunder are not used for such project or if additional highway construction funds are made available hereunder, they shall first be used for development of state trunk highway 45 from the intersection with highway 41 to and including the West Bend bypass, and except that no funds shall be used for the construction of the proposed Bay freeway and no funds shall be used for the "Augusta Bypass" project in Eau Claire county. Nothing in this section shall be construed so as to allow the redevelopment of state trunk highway 83 in Washington and Waukesha counties. U.S. numbered highway 16 from Tomah to the interchange with I-90 east of Sparta shall be retained as part of the state highway system in the same route as in use on November 1, 1969. The improvement project for state trunk highway 23 from Sheboygan to Fond du Lac shall be undertaken as swiftly as practicable.

(3) It is the *intent of the legislature that state debt* not to exceed $15,000,000 shall be incurred for the acquisition, construction, reconstruction, resurfacing, development, enlargement or improvement of the connecting highway facility known as the 27th Street viaduct in Milwaukee county.

84.52 Construction of intrastate and interstate bridges.

(2) It is the *intent of the legislature that state debt* not to exceed $46,849,800 may be incurred for the construction or reconstruction of intrastate bridges as provided by s. 84.11 and interstate bridges as

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provided by s. 84.12. Construction under this subsection shall be in accordance with the bridge needs of the state as determined in the biennial budget and annual review bills.

84.53 Matching of federal aid.

(2) It is the *intent of the legislature that state debt* not to exceed $10,000,000 may be incurred for the purpose of matching federal aid for the construction of highway facilities.

87.30 Flood plain zoning.

(1) STATE POWERS. (a) [part] ....All orders of the department [of natural resources] under this subsection which either fix the limits of flood plains or enact local flood plain zoning ordinances shall, when they are in final draft form and before they are issued, be referred to the *appropriate standing committees of the legislature*, where the procedure under s. 227.018 (2) shall apply. Orders of the department under this section shall, after becoming effective, be deemed rules for purposes of s. 13.56, and may be suspended by the *joint committee for review of administrative rules*.

97.42 Compulsory inspection of animals, poultry and carcasses.

(2m) APPROVAL OF RULES. This subsection does not apply to emergency rules adopted under s. 227.027.

(a) *Role of legislative council.* Prior to any public hearing on a proposed rule under sub. (2) (c), or if no public hearing is required, prior to notification of the *standing committees*, the department [of agriculture] shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the department and the revisor to:

1. Review the statutory authority under which the department intends to adopt the rule. The legislative council shall notify the department, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

2. Ensure that the procedures for the promulgation of a rule required by this subsection and ch. 227 are followed.

3. Review proposed rules for form, style and placement in the administrative code.

4. Review proposed rules to avoid conflict with or duplication of existing rules.

5. Review proposed rules to provide adequate references to relative statutes, related rules and forms.

6. Streamline and simplify the rule-making process.

7. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

8. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(b) *Legislative council to assist standing committees.* The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the department submits under sub. (2) (c).

(c) *Notification of standing committees.* The department shall notify *appropriate standing committees* when proposed rules under sub. (2) (c) are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The department may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

(d) *Form of notice.* The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(e) *Standing committee review.* 1. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the department to attend the meeting and hold public hearings to review the proposed rule.

2. The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the department to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

3. The department may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

4. Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the department may promulgate the rule.

(f) *Joint committee for the review of administrative rules.* 1. If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules*.

2. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

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3. The department may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or until the bill in subd. 5 fails of enactment. The department may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

4. The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committe review period. The joint committee may remand the proposed rule to the department for further consideration or public hearings or both. If the joint committee disapproves a proposed rule, the department may not promulgate the proposed rule until the bill in subd. 5 fails of enactment.

5. When the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the committee shall as soon as possible place before the *legislature*, a bill to support the disapproval. If such bill is defeated, or fails of enactment in any other manner, the proposed rule or portion of the proposed rule may be promulgated. If the bill becomes law, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

101.655 Pilot lights prohibited on gas appliances.

(9) This subsection does not apply to emergency rules adopted under s. 227.027.

(a) Prior to any public hearing on a proposed rule under this section, or if no public hearing is required, prior to notification of the *standing committees*, the department [of industry, labor and human relations] shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the department and the revisor to:

1. Review the statutory authority under which the department intends to adopt the rule. The legislative council shall notify the department, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

2. Ensure that the procedures for the promulgation of a rule required by this subsection and ch. 227 are followed.

3. Review proposed rules for form, style and placement in the administrative code.

4. Review proposed rules to avoid conflict with or duplication of existing rules.

5. Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

6. Streamline and simplify the rule-making process.

7. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

8. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(b) The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the department submits under this section.

(c) The department shall notify *appropriate standing committees* when proposed rules under this section are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The department may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

(d) The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(e) 1. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the department to attend the meeting and hold public hearings to review the proposed rule.

2. The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the department to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

3. The department may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

4. Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the department may promulgate the rule.

(f) If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules*.

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2. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

3. The department may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or until the bill in subd. 5 fails of enactment. The department may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

4. The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the department for further consideration or public hearings or both. If the joint committee disapproves a proposed rule, the department may not promulgate the proposed rule until the bill in subd. 5 fails of enactment.

5. When the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the committee shall as soon as possible place before the *legislature*, a bill to support the disapproval. If such bill is defeated, or fails of enactment in any other manner, the proposed rule or portion of the proposed rule may be promulgated. If the bill becomes law, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

101.955 Notice, hearing and legislative review. A copy of each rule or amendment to a rule adopted by any department under ss. 101.90 to 101.96 after notice, hearing and publication as provided under ss. 227.02 to 227.027, shall be forwarded to the *speaker of the assembly* and the *president of the senate* for referral to and review by the *appropriate standing committee* of each *house* as determined by the *presiding officer* of each. Each *standing committee* shall, within 60 days from the receipt of such proposed rule or amendment, approve or disapprove the proposal, but failure of a *standing committee* to disapprove any such proposal within the review time shall constitute approval thereof. Any rule or amendment shall become effective only upon the approval of both committees. This section shall not apply to emergency rules issued under s. 227.027.

102.03 Conditions of liability.

(1) (g) For the purposes of this chapter, *members of the state legislature* shall be deemed covered while traveling to and from the capital in the performance of their function as *legislators*, and while traveling in the performance of their official duties as members of committees or other bodies created by the *legislature* or the governor, either during the session or during the interim.

102.17 Procedure; notice of hearing; witnesses, contempt; testimony, medical examination. (1) (f) 4. Who is a *member of the legislature*, if any committee of the same or the *house* of which the witness is a member, is in session, provided the witness waives his or her privilege.

103.968 Council review of rules. The department [of industry, labor and human relations] shall submit every rule promulgated under ss. 103.90 to 103.97 to the council on migrant labor. If the department submits the rule to the *appropriate standing committees of the legislature* under s. 227.018 (2), the department shall submit the rule on the same date to the council. If the department does not submit the rule to the *legislature* under s. 227.018 (2), the department shall submit the rule to the council no later than the date of publication of the rule. If the council disapproves the rule within 45 days after the rule is submitted, the rule shall be void.

108.02 Definitions.

(5) (f) "Employment" as applied to work for a government unit, except as such unit duly elects otherwise with the department's [industry, labor and human relations] approval, does not include service:

1. As an official elected by vote of the public;

2. As an official appointed to fill part or all of the unexpired term of a vacant position normally otherwise filled by vote of the public;

3. As a *member of a legislative body* or the judiciary *of a state* or political subdivision;

108.14 Administration.

(5) (a) The council on unemployment compensation shall advise the department [of industry, labor and human relations] in carrying out the purposes of this chapter. The council shall submit its recommendations with respect to amendments of this chapter to each regular session of the *legislature*, and shall report its views on any pending bill relating to this chapter to the *proper legislative committee*.

(12) (b) Consistently with said provisions of said Title III, any such moneys, received prior to July 1, 1941, and remaining unencumbered on said date or received on or after said date, which, because of any action or contingency, have been lost or have been expended for purposes other than, or in amounts in excess of, those found necessary by said agency for the proper administration of this chapter, shall be

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replaced within a reasonable time. This paragraph is the declared policy of this state, as enunciated by the 1941 *legislature*, and shall be implemented as further provided in this subsection.

(d) If it be finally determined that moneys thus received have been thus lost or improperly expended, then the department shall either make the necessary replacement from those administration fund moneys specified in s. 20.445 (1) (v) or shall submit, at the next budget hearings conducted by the governor and at the budget hearings conducted by the next *legislature* convened in regular session, a request that the necessary replacement be made by an appropriation from the general fund.

108.26 Saving clause. The *legislature reserves the right to amend or repeal* all or any part of this chapter at any time; and there shall be no vested private right of any kind against such amendment or repeal. All the rights, privileges or immunities conferred by this chapter or by acts done pursuant thereto shall exist subject to the power of the *legislature* to amend or repeal this chapter at any time.

110.06 Rules and regulations; school bus certificate of compliance.

(2) The secretary [of transportation] shall adopt and enforce such rules as he or she deems necessary in the interests of safety to cover the design, construction, inspection and operation of school busses. Such rules may, but need not, be uniform for each type of bus designated in s. 340.01 (56) (a). A rule adopted under this subsection shall not become effective until approved by majority votes of a *senate and an assembly committee* dealing with transportation .

110.075 Motor vehicle inspection.

(6) The secretary [of transportation] shall set standards and adopt rules to establish a plan of inspection to implement the inspection program provided by this section. Such standards and rules, and any subsequent changes thereto, shall not take effect until submitted to and approved by a *senate and an assembly committee* dealing with transportation matters. The committees may act jointly in granting approval.

111.92 Agreements.

(1) Tentative agreements reached between the department of employment relations, acting for the executive branch, and any certified labor organization shall, after official ratification by the union, be submitted to the *joint committee on employment relations*, which shall hold a public hearing before determining its approval or disapproval. If the committee approves the tentative agreement, it shall introduce in companion bills, to be put on the calendar, that portion of the tentative agreement which requires legislative action for implementation, such as salary and wage adjustments, changes in fringe benefits, and any proposed amendments, deletions or additions to existing law. Such bills shall not be subject to ss. 13.10 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may, however, submit suitable portions of the tentative agreement to *appropriate legislative committees* for advisory recommendations on the proposed terms. The committee shall accompany the introduction of such proposed legislation with a message that informs the *legislature* of the committee's concurrence with the matters under consideration and which recommends the passage of such legislation without change. If the *joint committee on employment relations* does not approve the tentative agreement, it shall be returned to the parties for renegotiation. If the *legislature* does not adopt without change that portion of the tentative agreement introduced by the *joint committee on employment relations*, the tentative agreement shall be returned to the parties for negotiation.

114.065 State liability for aircraft.

(1) Any person suffering any damage proximately resulting from the negligent operation of an aircraft owned and operated by the state, and which damage is occasioned by the operation of such aircraft in the performance of its business, *may file a claim therefor* against the state and the *legislature* shall have the right to *allow, compromise, settle and pay the same*; the claim shall state the time and place of the accident, a brief description of the injuries or damages, the manner in which they were received and the grounds upon which claim is made and that satisfaction thereof is claimed. "Business" as used herein means any business whether governmental or proprietary.

(4) The attorney general shall obtain information relating to the accident giving rise to the claim and make his report thereon to the *legislature*.

(5) Failure of the *legislature* to pass upon the claim within 60 days after presentation shall constitute a disallowance. Recess periods and periods between sessions due to sine die adjournments shall be included in arriving at said 60 days. Any such disallowance shall bar any action founded on the claim unless brought within 6 months after disallowance. Actions against the state and payment of the amount recovered shall be as provided in ss. 285.01 and 285.04.

115.781 Reports of service to handicapped children. The state superintendent [of public instruction] shall report to the governor, the *joint committee on finance* and the *appropriate standing committees* on education of each *house of the legislature*, as determined by the *presiding officer* thereof, the state's progress toward achieving full service to handicapped children under the education for all handicapped children act of 1975 (P.L. 94-142). The state superintendent shall submit reports under this section within 45 days of the collection of data for the submission of the report of handicapped

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children receiving special education and related services, or its successor forms, as required under P.L. 94-142.

140.77 Pesticide review board.

(2) The pesticide review board shall appoint a council not to exceed 6 members of technical or professional experts composed of one representative each from the department of agriculture, trade and consumer protection, department of health and social services, department of natural resources, college of agricultural and life sciences of the university of Wisconsin, water resources center of the university of Wisconsin, school of natural resources of the university of Wisconsin, and in addition 3 public members appointed by the governor and confirmed by the *senate* for staggered 3-year terms who shall be technical or professional experts in the use of pesticides, one of whom shall be a representative of the pesticide industry, one of whom shall be a representative of the agricultural industry and one of whom shall be a person of broad knowledge and experience in the conservation and wise use of natural resources. The council shall generally assist the review board and shall assist particularly in obtaining scientific data and coordinating pesticide regulatory, enforcement, research and educational functions of the state.

144.21 Financial assistance program.

(6) (b) The department [of natural resources] may enter into agreements with municipalities and school districts to make payments to them from the appropriations made by ss. 20.370 (2) (f) and 20.866 (2) (tm).

1. These payments shall not exceed 50% of the approved project in conjunction with the state program of advancement in anticipation of federal reimbursement under sub. (2). To provide for the financing of pollution prevention and abatement facilities, the natural resources board, with the approval of the governor, subject to the limits of s. 20.866 (2) (tm) may direct that state debt be contracted as set forth in subd. 2 and subject to the limits set therein. Said debts shall be contracted for in the manner and form as the *legislature* hereafter prescribes.

2. It is the *intent of the legislature that state debt* not to exceed $150,850,000 in the 10-year period from 1969 to 1979 may be incurred for state water pollution and abatement assistance.

144.50 Manufacture and purchase of polychlorinated biphenyls.

(10) A rule adopted under this section shall not take effect until approved by majority votes of a *senate and an assembly committee* dealing with environmental protection.

144.939 Approval of rules. This section does not apply to emergency rules adopted under s. 227.027.

(1) ROLE OF LEGISLATIVE COUNCIL. Prior to any public hearing on a proposed rule under ss. 144.80 to 144.94, or if no public hearing is required, prior to notification of the *standing committees*, the department [of natural resources] shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the department and the revisor to:

(a) Review the statutory authority under which the department intends to adopt the rule. The legislative council shall notify the department, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

(b) Ensure that the procedures for the promulgation of a rule required by this section and ch. 227 are followed.

(c) Review proposed rules for form, style and placement in the administrative code.

(d) Review proposed rules to avoid conflict with or duplication of existing rules.

(e) Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

(f) Streamline and simplify the rule-making process.

(g) Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

(h) Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(2) LEGISLATIVE COUNCIL TO ASSIST STANDING COMMITTEES. The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the department submits under ss. 144.80 to 144.94.

(3) NOTIFICATION OF STANDING COMMITTEES. The department shall notify *appropriate standing committees* when proposed rules under ss. 144.80 to 144.94 are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The department may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

(4) FORM OF NOTICE. The notice shall include the proposed rule in a form complying with s. 227.024 (1).

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(5) STANDING COMMITTEE REVIEW. (a) A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the department to attend the meeting and hold public hearings to review the proposed rule.

(b) The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the department to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

(c) The department may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

(d) Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the department may promulgate the rule.

(6) JOINT COMMITTEE FOR THE REVIEW OF ADMINISTRATIVE RULES. (a) If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules*.

(b) The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

(c) The department may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or until the bill in subd. 5 [par. (e)] fails of enactment. The department may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

(d) The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the department for further consideration or public hearings or both. If the joint committee disapproves a proposed rule, the department may not promulgate the proposed rule until the bill in subd. 5 [par. (e)] fails of enactment.

(e) When the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the committee shall as soon as possible place before the *legislature*, a bill to support the disapproval. If such bill is defeated, or fails of enactment in any other manner, the proposed rule or portion of the proposed rule may be promulgated. If the bill becomes law, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

145.25 Use of plumbing fixtures prohibited.

(4) APPROVAL OF RULES. This subsection does not apply to emergency rules adopted under s. 227.027.

(a) *Role of legislative council.* Prior to any public hearing on a proposed rule under this section, or if no public hearing is required, prior to notification of the *standing committees*, the department [of health and social services] shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the department and the revisor to:

1. Review the statutory authority under which the department intends to adopt the rule. The legislative council shall notify the department, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

2. Ensure that the procedures for the promulgation of a rule required by this chapter are followed.

3. Review proposed rules for form, style and placement in the administrative code.

4. Review proposed rules to avoid conflict with or duplication of existing rules.

5. Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

6. Streamline and simplify the rule-making process.

7. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

8. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(b) *Legislative council to assist standing committees.* The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the department submits under this section.

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(c) *Notification of standing committees.* The department shall notify *appropriate standing committees* when proposed rules under this section are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The department may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

(d) *Form of notice.* The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(e) *Standing committee review.* 1. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the department to attend the meeting and hold public hearings to review the proposed rule.

2. The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the department to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

3. The department may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

4. Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the department may promulgate the rule.

(f) *Joint committee for the review of administrative rules.* 1. If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules*.

2. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

3. The department may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or until the bill in subd. 5 fails of enactment. The department may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

4. The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the department for further consideration or public hearings or both. If the joint committee disapproves a proposed rule, the department may not promulgate the proposed rule until the bill in subd. 5 fails of enactment.

5. When the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the committee shall as soon as possible place before the *legislature*, a bill to support the disapproval. If such bill is defeated, or fails of enactment in any other manner, the proposed rule or portion of the proposed rule may be promulgated. If the bill becomes law, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

146.35 Emergency medical services.

(8) RULES. The secretary [of health and social services] may adopt all rules necessary for the administration of this section and prescribe emergency medical service equipment and standards therefor. A rule adopted by the secretary under this section shall not take effect until approved by a *senate and an assembly committee* dealing with health services.

161.11 Authority to control.

(6) (b) If the [controled substances] board finds that any nonnarcotic substance barred from control under this chapter by par. (a) is dangerous to or is being so used as to endanger the public health and welfare, it may request the department of justice in the name of the state to seek a temporary restraining order or temporary injunction under ch. 813 to either ban or regulate the sale and possession of the substance. The order or injunction shall continue until the adjournment of the *legislature* convened next following its issuance. In making its findings as to nonnarcotic substances under this paragraph, the board shall consider the items specified in sub. (1).

163.04 General duties of the board. [Bingo Control Board]

(3) Promulgate rules under ch. 227 relating to the issuance, renewal, amendment, suspension and revocation of bingo and raffle licenses and the conduct of bingo under this chapter.

(a) Prior to any public hearing on a proposed rule under this chapter, or if no public hearing is required, prior to notification of the *standing committees*, the board shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the board and the revisor of statutes to:

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1. Review the statutory authority under which the board intends to adopt the rule. The legislative council shall notify the board, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

2. Ensure that the procedures for the promulgation of a rule required by this subsection and ch. 227 are followed.

3. Review proposed rules for form, style and placement in the administrative code.

4. Review proposed rules to avoid conflict with or duplication of existing rules.

5. Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

6. Streamline and simplify the rule-making process.

7. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

8. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(b) The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the board submits under this chapter.

(c) The board shall notify *appropriate standing committees* when proposed rules under this chapter are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The board may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

(d) The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(e) 1. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the board to attend the meeting and hold public hearings to review the proposed rule.

2. The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the board to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

3. The board may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

4. Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the board may promulgate the rule.

(f) 1. If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules*.

2. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

3. The board may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or until the bill in subd. 5 fails of enactment. The board may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

4. The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the board for further consideration or public hearings or both. If the joint committee disapproves a proposed rule, the board may not promulgate the proposed rule until the bill in subd. 5 fails of enactment.

5. When the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the committee shall as soon as possible place before the *legislature*, a bill to support the disapproval. If such bill is defeated, or fails of enactment in any other manner, the proposed rule or portion of the proposed rule may be promulgated. If the bill becomes law, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

(g) Paragraphs (a) to (f) do not apply to emergency rules adopted under s. 227.027.

165.015 Duties. [Attorney General]

(1) GIVE OPINION TO OFFICERS. Give his opinion in writing, when required, without fee, upon all questions of law submitted to him by the *legislature, either branch thereof* or the *senate or assembly committee on organization*, or by the head of any department of state government.

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(5) REPORT TO LEGISLATURE. Report to *the legislature or either branch thereof*, when requested, upon any matters pertaining to the duties of his office.

165.07 Assistant attorney general--public intervenor. [part] ....The public intervenor shall formally intervene in such proceedings when requested to do so by an administrator of a division primarily assigned the departmental functions under chs. 29 or 144. The public intervenor may, on his own initiative or upon request of any *committee of the legislature*, formally intervene in all such proceedings where such intervention is needed for the protection of "public rights" in water and other natural resources....

165.25 Duties of department of justice.

(1) REPRESENT STATE. Except as provided in s. 59.47 (7), appear for the state and prosecute or defend all actions and proceedings, civil or criminal, in the court of appeals and the supreme court, in which the state is interested or a party, and attend to and prosecute or defend all civil cases sent or remanded to any circuit court in which the state is a party; and, if requested by the governor or *either branch of the legislature*, appear for the state and prosecute or defend in any court or before any officer, any cause or matter, civil or criminal, in which the state or the people thereof may be interested. All expenses of the proceedings shall be paid from the appropriation under s. 20.455 (1) (d).

182.220 Examination by attorney general and legislature. The attorney general, whenever required by the governor, shall examine into the affairs of any corporation in this state and report in writing a detailed statement of the facts to the governor, who shall lay the same before the *legislature*, and for that purpose the attorney general may conduct hearings and examine the vaults, books, papers and documents belonging to such corporation or pertaining to its affairs and condition; and the *legislature, or either branch thereof*, shall have like power at all times, and for that purpose *any legislative committee may examine* any person in relation to the affairs and condition of such corporation, and its vaults, safes, books, papers and documents, *and compel* the production of all keys, books, papers and documents by contempt proceedings.

190.03 Office in state; books produced. Any railroad corporation existing under the laws of this state shall produce before the [public service] commission, the *legislature*, or any committee of either *house*, or any court of record, its books of account and stock books, or so many and such parts thereof as may be required by either of them, or in the discretion of such commission, *legislature*, committee or court, transcripts from such books, or such parts thereof as may be called for, duly authenticated; and each such railroad corporation shall designate some office within this state as its principal office and inform the commission of such designation, and shall keep there or at the office of its transfer agents or registrars a list of its stockholders, giving the names and addresses of its stockholders, together with a statement of the number and class of shares of its stock held by each of them, as shown by its books. A failure or refusal to comply with any of the foregoing provisions shall be cause of forfeiture of its franchises.

194.41 Undertaking for damage to person or property.

(4) The department [of transportation] shall adopt rules for the administration and enforcement of this section and the secretary may appoint any employe in the department as a representative to affix the secretary's signature, including any facsimile signature adopted by the secretary, to administrative letters, notices and orders to enforce this section. A rule adopted under this section shall not take effect until approved by majority votes of a *senate and an assembly committee* dealing with transportation.

196.97 Nonessential uses of natural gas.

(2) The [public service] commission shall, by rule, specify criteria for determining a nonessential use of natural gas for purposes of this section. The commission shall, by rule, specify each nonessential use of natural gas under this section. The commission may review any nonessential use of natural gas specified under this subsection at any time. Every rule promulgated under this subsection shall be transmitted to the *joint committee for review of administrative rules* for review by the joint committee.

(4) This subsection does not apply to emergency rules adopted under s. 227.027.

(a) Prior to any public hearing on a proposed rule under this section, or if no public hearing is required, prior to notification of the *standing committees*, the commission shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the commission and the revisor to:

1. Review the statutory authority under which the commission intends to adopt the rule. The legislative council shall notify the commission, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

2. Ensure that the procedures for the promulgation of a rule required by this subsection and ch. 227 are followed.

3. Review proposed rules for form, style and placement in the administrative code.

4. Review proposed rules to avoid conflict with or duplication of existing rules.

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5. Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

6. Streamline and simplify the rule-making process.

7. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

8. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(b) The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the commission submits under this section.

(c) The commission shall notify *appropriate standing committees* when proposed rules under this section are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The commission may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

(d) The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(e) 1. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the commission to attend the meeting and hold public hearings to review the proposed rule.

2. The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the commission to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

3. The commission may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

4. Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the commission may promulgate the rule.

(f) 1. If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules*.

2. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

3. The commission may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or until the bill in subd. 5 fails of enactment. The commission may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

4. The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the commission for further consideration or public hearings or both. If the joint committee disapproves a proposed rule, the commission may not promulgate the proposed rule until the bill in subd. 5 fails of enactment.

5. When the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the committee shall as soon as possible place before the *legislature*, a bill to support the disapproval. If such bill is defeated, or fails of enactment in any other manner, the proposed rule or portion of the proposed rule may be promulgated. If the bill becomes law, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

227.01 Definitions.

(11) "Rule" .... does not include or mean .... action or inaction .... which:

(x) Establishes rental policies for state-owned housing approved by the *joint committee on finance* under ss. 13.101 (10) and 16.004 (8).

227.018 Advisory committees and informal consultations.

(2) An agency shall notify members of *appropriate standing committees of the legislature* when rules and revisions or repeals thereof are in final draft form. The notice shall include a brief summary of the draft. Within 30 days of receiving the notice, a committee which received it may direct the agency to meet with it to review the draft. If a committee requests such meeting, the agency may not proceed with the draft until after the meeting. If no committee requests such meeting within 30 days or if the meeting is requested and not held within 30 days of the date of the request, the agency may then proceed with the draft. This subsection shall not apply to emergency rules.

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(3) Subsection (2) does not apply when the prior approval of a rule, or revision or repeal thereof, by any *legislative committee* is specifically required by law.

227.021 Notice of hearing.

(1) (b) Transmit written notice of such hearing to every *member of the legislature* who previously has made a request in writing filed with the revisor of statutes to be notified of proposed rule making. The revisor of statutes upon request of any agency shall transmit to such agency a list of all such *legislators* who have theretofore filed such request, together with their addresses; and

227.027 Emergency rules excepted from certain procedures.

(2) An agency shall file an emergency rule as provided in s. 227.023, shall mail copies to each *member of the legislature*, and shall take such other steps as it considers to be feasible to make the rule known to persons who will be affected by it. The revisor of statutes shall insert in the notice section of each issue of the administrative register a brief description of emergency rules currently in effect.

227.08 Evidence and official notice.

(7) (d) Who is a *member of the legislature*, if any committee of the same or the *house* of which the witness is a member is in session, provided the witness waives his or her privilege.

227.05 Declaratory judgment proceedings.

(5) The *joint committee for review of administrative rules* shall be served with a copy of the petition in any action under this section and, with the approval of the *joint committee on legislative organization*, shall be made a party and be entitled to be heard.

230.03 Definitions. In this chapter, unless the context otherwise requires:

(3) "Agency" means any state board, commission, committee, council, department or unit thereof created by the constitution or statutes if such board, commission, committee, council, department, unit or the head thereof, is authorized to appoint subordinate staff by the constitution or statute, *except a legislative* or judicial board, commission, committee, council, department or unit thereof.

230.046 Training programs.

(5) (b) Training costs estimated to exceed $500, excluding the compensation of participants, have been included in the budget and *approved by the legislature* or the *joint committee on finance* acting under s. 13.101, and such costs will be encumbered for training purposes on the records of the agency;

230.08 Classification of civil service.

(2) (f) All legislative officers and, in addition, such policy research personnel, assistants to legislative leaders, and research staff assigned to legislative committees and party caucuses *as each house of the legislature by resolution approves*.

(4) (b) No unclassified position in addition to a position created under par. (a) may be created without the approval of the *legislature*.

230.09 Classification.

(2) (g) When filling a new or vacant position, if the administrator [of the division of personnel] determines that the classification for a position is different than that provided for by the *legislature* as established by law or in budget determinations, or as authorized by the *joint committee on finance* acting under s. 13.101 or as otherwise provided by law, or as specified by the governor acting under s. 16.54 or creating positions funded under s. 20.001 (2) (b) or (c), or is different than that of the previous incumbent, the administrator shall withhold action on the selection and certification process and notify the secretary of administration. The secretary of administration shall review the position to determine that sufficient funds exist for the position and that the duties and responsiblities of the proposed position reflect the intent of the *legislature* as established by law or in budget determinations, or the intent of the *joint committee on finance* acting under s. 13.101 or as otherwise provided by law, or the intent of the governor acting under s. 16.54 or creating positions funded under s. 20.001 (2) (b) or (c). The administrator may not proceed with the selection and certification process until the secretary of administration has authorized the position to be filled.

230.12 Compensation. (1) (bf) *Legislative action.* Provisions of the compensation plan that the *joint committee on employment relations* approves which require legislative action for implementation, such as changes in fringe benefits and any proposed amendments, deletions or additions to existing law, shall be introduced by the committee in companion bills, to be put on the calendar. Such bills shall not be subject to ss. 13.10 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may, however, submit suitable portions of the bills to appropriate legislative committees for advisory recommendations on the proposed changes. The committee shall accompany the introduction of such proposed legislation with a message that informs the *legislature* of the committee's concurrence with the matters under consideration and which recommends the passage of such legislation without change. It is the intent of the *legislature* to make this process consistent with that set forth under s. 111.92.

(3) (d) *Legislative employes.* This subsection shall not apply to employes of the *legislature* under s. 13.20 (2).

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230.15 Appointments, promotions, changes in classified service.

(1) Appointments to, and promotions in the classified service, shall be made only according to merit and fitness, which shall be ascertained so far as practicable by competitive examination. When the state becomes responsible for a function previously administered by another governmental agency, a quasi-public, or a private enterprise, or when positions in the unclassified service, excluding employes of the *legislature*, are determined to be more appropriately included in the classified service, the director [administrator of the division of personnel] shall determine appropriate eligibility, pay, employe benefits and status identified in ss. 230.28 and 230.35.

231.02 Creation and organization. (1) There is created a public body politic and corporate to be known as the "Wisconsin Health Facilities Authority". The authority shall consist of 7 members nominated by the governor, and *with the advice and consent of the senate appointed* for staggered 7-year terms. Members shall be residents of the state, and not more than 4 shall be members of the same political party. The members of the authority first appointed shall serve for terms expiring on June 30 in 1974, 1975, 1976, 1977, 1978, 1979 and 1980, respectively. As soon as possible after the appointment of the initial members, the authority shall organize for the transaction of business. Annually, the governor shall appoint one member as chairman and the authority shall elect one member as vice chairman.

234.02 Wisconsin housing finance authority: creation; membership; appointment and tenure; meetings; officers. (1) There is created a public body corporate and politic to be known as the "Wisconsin housing finance authority". The members of the authority shall be the secretary of local affairs and development, and 6 public members nominated by the governor, and *with the advice and consent of the senate appointed*, for staggered 4-year terms commencing on the dates their predecessors' terms expire. At least one such public member shall be a person recommended by the commissioner of savings and loan, at least one a person recommended by the commissioner of banking, and at least one a person recommended by the executive director of the investment board. In addition, the chairpersons of the *assembly* and *senate* committees dealing with local affairs shall serve as members of the authority. A member of the authority shall receive no compensation for services but shall be reimbursed for necessary expenses, including travel expenses, incurred in the discharge of duties. Subject to the bylaws of the authority respecting resignations, each member shall hold office until a successor has been appointed and has qualified. A certificate of appointment or reappointment of any member shall be filed with the authority and the certificate shall be conclusive evidence of the due and proper appointment.

234.25 Annual report. (intro.) The [Wisconsin housing finance] authority shall submit to the governor, the chairman of the *joint committee on finance*, the *senate* committee on housing and urban development, the *assembly* committee on municipalities, such other committees *as the legislature by joint resolution may determine*, and the secretary of administration within 6 months after the end of its fiscal year a complete and detailed report setting forth:

285.01 Actions against state; bond. Upon the *refusal of the legislature to allow a claim against the state* the claimant may commence an action against the state by service as provided in s. 801.11 (3) and by filing with the clerk of court a bond, not exceeding $1,000, with 2 or more sureties, to be approved by the attorney general, to the effect that the claimant will indemnify the state against all costs that may accrue in such action and pay to the clerk of court all costs, in case the claimant fails to obtain judgment against the state.

285.06 Payment toward state employe judgments.

(6) If the claims board shall find that the amount it is able to award will not be adequate it *shall report the amount* of the difference *to the legislature* for its action.

286.35 Action to annul corporatiou. An action may be brought by the attorney general in the name of the state, *whenever the legislature shall direct*, against a corporation created by or under the laws of this state for the purpose of vacating or annulling the act of incorporation or an act renewing its corporate existence, on the ground that such act or renewal was procured upon some fraudulent suggestion or concealment of a material fact by the persons incorporated or by some of them, or with their knowledge and consent.

286.42 Judgment when charter is annulled. The provisions of sections 286.40 and 286.41, so far as they relate to the distribution of the property of the corporation and actions to appoint receivers therefor, shall apply to any corporation whose charter shall be *repealed by act of the legislature* or otherwise annulled thereby.

343.16 Examination of applicants; reexamination of licensed persons.

(1) (am) The secretary [of transportation] shall develop new and revised standards to govern driver license examinations and reexaminations, taking into consideration any federal standards or requirements which may apply. A public hearing shall be held before a joint session of the *senate* and *assembly* committees having jurisdiction over transportation matters, as determined by the *speaker of*

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the assembly and the *president pro tempore of the senate*, to review such proposed standards. Such standards shall enter into effect only *upon approval as a joint resolution* by a majority of the *members of the assembly and of the senate*.

345.05 State and municipal liability for motor vehicle accidents.

(1) (b) "Governing body" means the *state legislature* with reference to the state, the county board with reference to counties, the town board with reference to towns, the legislative body of a city or village with reference to cities and villages and the board of any district, center or other municipality with reference to other municipalities enumerated in par. (a).

347.245 Identification emblem on certain slow moving vehicles.

(2) Standards and specifications for the design and position of mounting of the SMV emblem shall be established by rule by the secretary [of transportation]. The standards and specifications for SMV emblems shall correlate with and, so far as possible, conform with those approved by the American society of agricultural engineers. The secretary shall submit such standards and specifications, and any subsequent changes therein, to the *assembly* and *senate* committees having jurisdiction over transportation matters as determined by the *speaker of the assembly* and the *president pro tempore of the senate* acting jointly for their approval.

347.75 Interstate compact on vehicle equipment.

(3) (c) It is the intent of this compact to emphasize performance requirements and not to determine the specific detail of engineering in the manufacture of vehicles or equipment except to the extent necessary for the meeting of such performance requirements.

[ARTICLE V.] VEHICULAR EQUIPMENT. (e) If the constitution of a party state requires, or if its statutes provide, *the approval of the legislature by appropriate resolution or act may be made a condition precedent* to the taking effect in such party state of any rule, regulation or code. In such event, the commissioner of such party state shall submit any commission rule, regulation or code to the *legislature* as promptly as may be in lieu of administrative acceptance or rejection thereof by the party state.

[ARTICLE VI.] FINANCE. (a) The [vehicle equipment safety] commission shall submit to the executive head or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that party state for presentation to the *legislature* thereof.

347.76 Vehicle equipment safety commission.

(2) Pursuant to article V (e) of the vehicle equipment safety compact, it is provided that no rule, regulation or code issued by the vehicle equipment safety commission in accordance with article V of the compact shall take effect until *approved by the legislature*.

499.02 Wisconsin solid waste recycling authority; creation; organization. (1) There is created a public body corporate and politic to be known as the "Wisconsin solid waste recycling authority". The authority shall consist of 7 members appointed by the governor *by and with the advice and consent of the senate* for staggered 6-year terms commencing on the dates their predecessors' terms expire. At least one member shall be a person recommended by the Wisconsin county boards association; at least one a person recommended by the league of Wisconsin municipalities; and at least one a person recommended by the Wisconsin towns association. All members shall be reimbursed for actual and necessary expenses, including travel expenses, incurred in the discharge of their duties. Each member shall hold office until his successor has been appointed and qualified. A certificate of appointment shall be filed with the authority and the certificate shall be conclusive evidence of the due and proper appointment of the members.

499.15 Reporting requirements.

(1) ANNUAL REPORT. (intro.) The [Wisconsin solid waste recycling] authority shall submit to the governor, the chairman of the *joint committee on finance*, such other committees *as the legislature by joint resolution may determine* and the secretary of administration within 6 months after the end of its fiscal year a complete and detailed record setting forth:

628.04 Issuance of license.

(3m) APPROVAL OF RULES. This subsection does not apply to emergency rules adopted under s. 227.027.

(a) *Role of legislative council.* Prior to any public hearing on a proposed rule under sub. (3), or if no public hearing is required, prior to notification of the *standing committees*, the commissioner [of insurance] shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the commissioner and the revisor of statutes to:

1. Review the statutory authority under which the commissioner intends to adopt the rule. The legislative council shall notify the commissioner, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

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2. Ensure that the procedures for the promulgation of a rule required by this subsection and ch. 227 are followed.

3. Review proposed rules for form, style and placement in the administrative code.

4. Review proposed rules to avoid conflict with or duplication of existing rules.

5. Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

6. Streamline and simplify the rule-making process.

7. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

8. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(b) *Legislative council to assist standing committees.* The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the commissioner submits under this subsection.

(c) *Notification of standing committees.* The commissioner shall notify *appropriate standing committees* when proposed rules under sub. (3) are in final draft form by submitting a notice to the *presiding officer* in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The commissioner may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of her or his intention not to promulgate the rule.

(d) *Form of notice.* The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(e) *Standing committee review.* 1. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the commissioner to attend the meeting and hold public hearings to review the proposed rule.

2. The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the commissioner to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

3. The commissioner may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

4. Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the commissioner may promulgate the rule.

(f) *Joint committee for the review of administrative rules.* 1. If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules*.

2. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

3. The commissioner may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or until the bill in subd. 5 fails of enactment. The commissioner may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

4. The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the commissioner for further consideration or public hearings or both. If the joint committee disapproves a proposed rule, the commissioner may not promulgate the proposed rule until the bill in subd. 5 fails of enactment.

5. When the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the committee shall as soon as possible place before the *legislature*, a bill to support the disapproval. If such bill is defeated, or fails of enactment in any other manner, the proposed rule or portion of the proposed rule may be promulgated. If the bill becomes law, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

655.27 Patients compensation fund.

(4) (g) The board of governors shall submit a functional and progress report to the appropriate committees on insurance and health in both *houses of the legislature* on or before March 1 of each year.

751.12 Rules of pleading and practice. The state supreme court shall, by rules promulgated by it from time to time, regulate pleading, practice and procedure in judicial proceedings in all courts, for the purpose of simplifying the same and of promoting the speedy determination of litigation upon its merits.

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The rules shall not abridge, enlarge or modify the substantive rights of any litigant. The effective dates for all rules adopted by the court shall be January 1 or July 1. A rule shall not become effective until 60 days after its adoption. All such rules shall be printed by the state printer and paid for out of the state treasury, and the court shall direct the rules to be distributed as it deems proper. All statutes relating to pleading, practice and procedure may be modified or suspended by rules promulgated under this section. No rule modifying or suspending such statutes may be adopted until the court has held a public hearing with reference to the rule. Notice of public hearings shall be given by publication of a class 3 notice, under ch. 985, the expense of the publication to be paid out of the state treasury. Notice shall also be given in an official publication of the state bar of Wisconsin, the notice to be published not more than 60 days nor less than 30 days before the date of hearing. The state bar of Wisconsin shall not charge the state treasury for publication of this notice. Proposed rules, including changes, if any, in existing rules, shall be set forth in full in the notice. This section shall not abridge *the right of the legislature to enact, modify or repeal statutes* or rules relating to pleading, practice or procedure. The judicial council shall act in an advisory capacity to assist the court in performing its duties under this section.

753.18 Court reporter and assistant; oaths of office.

(3) The administrative director of courts shall develop, in cooperation with the division of personnel in the department of employe relatons, a program establishing qualifications and compensation levels for court reporters based on job proficiency and without regard to salary ranges for court reporters prior to August 1, 1978. The administrative director and the division shall make recommendations to the *legislature* concerning appropriate compensation levels for court reporters.

756.02 Exemptions and excuses from jury service.

(2) (b) A *state legislator* or full-time elected official shall be excused from service as a juror if the official states to the court that jury service would interfere with the performance of his or her official duties.

757.13 Continuances; legislative privilege. When a party or an attorney for any party to any action or proceeding in any court or any commission, is a member of the Wisconsin *legislature* or is *president of the senate*, in session, such fact shall be sufficient cause for the adjournment or continuance of such action or proceeding, and such adjournment or continuance shall be granted without the imposition of terms.

757.83 Judicial commission.

(1) MEMBERSHIP; APPOINTMENT; TERMS. (a) There is created a judicial commission of 9 members: 5 nonlawyers nominated by the governor and *appointed with the advice and consent of the senate*, one trial judge of a court of record and one court of appeals judge appointed by the supreme court; and 2 members of the state bar of Wisconsin, who are not judges, appointed by the supreme court. The commission shall elect one of its members as chairperson.

(3) RULES. (a) *Authority of judicial commission.* The commission shall promulgate rules under ch. 227 for its proceedings. This subsection does not apply to emergency rules adopted under s. 227.027.

(b) *Role of legislative council.* Prior to any public hearing on a proposed rule under this section, or if no public hearing is required, prior to notification of the *standing committees*, the commission shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the commission and the revisor to:

1. Review the statutory authority under which the commission intends to adopt the rule. The legislative council shall notify the commission, the *joint committee for the review of administrative rules* and the *appropriate standing committee* when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

2. Ensure that the procedures for the promulgation of a rule required by this subsection and ch. 227 are followed.

3. Review proposed rules for form, style and placement in the administrative code.

4. Review proposed rules to avoid conflict with or duplication of existing rules.

5. Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

6. Streamline and simplify the rule-making process.

7. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

8. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(c) *Legislative council to assist standing committees.* The legislative council shall work with and assist the *appropriate standing committees* throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the commission submits under this section.

(d) *Notification of standing committees.* The commission shall notify *appropriate standing committees* when proposed rules under this section are in final draft form by submitting a notice to the

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presiding officer in each *house*. Each *presiding officer* shall refer the notice to one *standing committee*. The commission may withdraw a proposed rule by notifying the *presiding officer* in each *house of the legislature* of its intention not to promulgate the rule.

(e) *Form of notice.* The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(f) *Standing committee review.* 1. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the commission to attend the meeting and hold public hearings to review the proposed rule.

2. The *standing committee* review period lasts for 30 days after the notice is submitted and if within the 30-day period a *standing committee* directs the commission to meet with it to review the proposed rule, the *standing committee* review period is extended for 30 days from the date of that request.

3. The commission may not promulgate a proposed rule during the *standing committee* review period unless both committees approve the rule prior to the expiration of that period.

4. Either *standing committee* may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the *standing committee* review period. If both committees fail to take this action, the proposed rule is not disapproved and the commission may promulgate the rule.

(g) *Joint committee for the review of administrative rules.* 1. If either *standing committee* disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the *joint committee for the review of administrative rules*.

2. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

3. The commission may not promulgate a proposed rule or its part which is disapproved by a *standing committee* unless the proposed rule is approved by the *joint committee for the review of administrative rules* or until the bill in subd. 5 fails of enactment. The commission may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

4. The *joint committee for the review of administrative rules* may reverse the *standing committee* disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the *standing committee* disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the commission for further consideration or public hearings or both. If the joint committee disapproves a proposed rule, the commission may not promulgate the proposed rule until the bill in subd. 5 fails of enactment.

5. When the *joint committee for the review of administrative rules* disapproves a proposed rule or portion of the proposed rule, the committee shall as soon as possible place before the *legislature*, a bill to support the disapproval. If such bill is defeated, or fails of enactment in any other manner, the proposed rule or portion of the proposed rule may be promulgated. If the bill becomes law, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

758.13 Judicial council. (1) MEMBERSHIP; APPOINTMENT; TERMS. [part] There is created a judicial council of 19 members as follows: a supreme court justice designated by the supreme court; a court of appeals judge designated by the court of appeals; the administrative director of courts or his or her designee; 4 circuit judges designated by the judicial conference; the chairpersons of the *senate* and the *assembly* committees dealing with judicial affairs or a member of each such committee designated by the respective chairperson; the attorney general or his or her designee; the revisor of statutes or an assistant designated by the revisor; the deans of the law;....

806.04 Declaratory judgments.

(11) PARTIES. When declaratory relief is sought, all persons shall be made parties who have or claim any interest which would be affected by the declaration, and no declaration may prejudice the right of persons not parties to the proceeding. In any proceeding which involves the validity of a municipal ordinance or franchise, the municipality shall be made a party, and shall be entitled to be heard. If a statute, ordinance or franchise is alleged to be unconstitutional, the attorney general shall also be served with a copy of the proceeding and be entitled to be heard. In any proceeding under this section in which the constitutionality, construction or application of any provision of ch. 227, or of any statute allowing a legislative committee to suspend, or to delay or prevent the adoption of, a rule as defined in s. 227.01 (9) is placed in issue by the parties, the *joint committee for review of administrative rules* shall be served with a copy of the petition and, with the approval of the *joint committee on legislative organization*, shall be made a party and be entitled to be heard. In any proceeding under this section in which the constitutionality, construction or application of any provision of ch. 13, 20, 111, 227 or 230 or subch. I, III or IV of ch. 16, or of any statute allowing a legislative committee to suspend, or to delay or prevent the adoption of, a rule as defined in s. 227.01 (9) is placed in issue by the parties, the *joint*

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committee on legislative organization shall be served with a copy of the petition and the *joint committee on legislative organization*, the *senate committee on organization* or the *assembly committee on organization* may intervene as a party to the proceedings and be heard.

815.18 Property exempt from execution.

(10) KEEPSAKES. Any sword, plate, books or other articles presented or given to any person by congress, the *legislature* of either of the United States, or by either body of congress or of such *legislature*, whether presented by a vote or raised by subscription of the members of either of the aforesaid bodies.

889.08 Copies, how certified, presumptions.

(2) The executive officer, secretary or chief clerk of any state agency, and in agencies headed by one person, the head of the agency or his deputy, are, for the purposes of this section and s. 889.09, the legal custodians of the files and records of their agencies. In agencies having divisions, the heads of divisions are also legal custodians of the files and records of their divisions. "State agency" as used herein means the *legislature*, any officer, board, commission, department or bureau of the state government and the state historical society.

946.17 Corrupt means to influence legislation; disclosure of interest. Any person who gives or agrees or offers to give any thing of value to any person, for the service of such person or of any other person in procuring the passage or defeat of any measure before the *legislature* or before either *house* or any committee thereof, upon the contingency or condition of the passage or defeat of the measure, or who receives, or agrees to receive any thing of value for such service, upon any such contingency or condition, or who, having a pecuniary or other interest, or acting as the agent or attorney of any person in procuring or attempting to procure the passage or defeat of any measure before the *legislature* or before either *house* or any committee thereof, attempts in any manner to influence any *member of the legislature* for or against the measure, without first making known to the member the real and true interest he or she has in the measure, either personally or as such agent or attorney, is guilty of a class A misdemeanor.

973.155 Sentence credit.

(4) The credit provided in sub. (1) shall include good time earned under ss. 53.11, 53.43, 56.07 (3) and 56.19 (3), whichever are applicable. The department [of health and social services] may promulgate rules under ch. 227 to provide criteria for the awarding of good time allowed under this subsection. Written notice of any proposed action by the department to adopt, amend or repeal a rule under this subsection after notice, hearing and publication as provided under ss. 227.02 to 227.026, shall be forwarded to the *speaker of the assembly* and the *president of the senate* for referral to and review by the *appropriate standing committee* of each *house* as determined by the *presiding officer* of each. For the purpose of reviewing the proposed action on the rule, the *standing committee* may be convened upon call of its chairperson or of a majority of its members. Each *standing committee* may, within 40 days from receipt of notice of the proposed action, approve or disapprove the proposed action, but failure of a *standing committee* to disapprove the proposed action within the review time shall constitute approval thereof. The proposed action shall become effective only upon the approval of both committees. This subsection does not apply to emergency rules adopted under s. 227.027.

985.04 Official state uewspaper; publication of laws.

(1) The *legislature shall declare* some newspaper published in Wisconsin to be the official state paper, which shall publish all the laws, advertisements, proclamations and communications required to be published. Any such publication from any of the state agencies shall be deemed official. Until a further designation is made the Wisconsin State Journal, Madison, is declared to be the official state paper.

(2) Every law shall be published once in the official state paper within 10 working days after its approval, from camera-ready copy prepared under s. 35.35 (1) (a) and in type not smaller than 5.5 point, and the costs charged to the *legislature*.

990.03 Effect of repeals.

(1) No law repealed by a subsequent *act of the legislature* is revived or affected by the repeal of such repealing act.

990.07 Citation of statutes. The statutes designated since 1898 as "the statutes of 1898" and all additions thereto may be styled in any *act of the legislature* or proceeding in a court of justice, or wherever otherwise referred to, as "Wisconsin Statutes"; former statutes of this state may be referred to as the annotated statutes or as the revised statutes of 1878, 1858, or 1849.

(End)

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