

A

*Legislative
Primer*

Prepared by
THE WISCONSIN LEGISLATIVE REFERENCE LIBRARY
State Capitol
Madison 2, Wisconsin

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PREFACE

In recent years more and more states have developed methods of acquainting newly elected legislators with the organization and operation of the legislative branch of government in particular and the problems of government in general. This process has taken different forms in different states, varying from the long established schools of parliamentary practice to the newer substantive pre-session conferences.

Legislators come to their task as lawmakers with a variety of experience. Some have little but the exuberance of youth, while others have years of experience in municipal or county politics. Some come from a background of full awareness of the problems of government, while others lack such understanding of the state's difficulties. Some come from the metropolitan areas, while others come from sparsely settled regions. Some have had a wealth of formal education, while others have learned through experience. All have, however, been duly chosen by their constituents to represent them in the legislature and have by their candidacy, indicated a willingness to serve.

The materials which the legislators might digest in preparation for the session are legion. They might study Article IV of the state constitution, Chapter 13 of the statutes, the rules of each house as well as the joint rules, the journals of each house, the section of the most recent Blue Book devoted to the legislature, portions of the Book of the States and a score or more texts on the legislative process. Few, however, have access to these materials or the time to digest them.

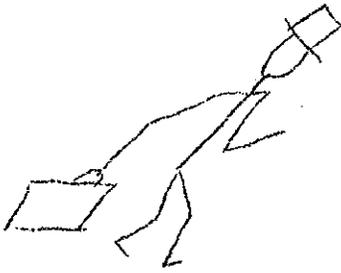
Since 1951, the Legislative Reference Library has sought to provide the new members of the legislature with a simple, factual resumé of the basic information about the legislature which might ease their minds as the first day of the session approaches. It attempts to provide the answers to the type of question which is uppermost in the minds of the legislators at this time, but which, in the course of the next 3 months, may become a matter of routine knowledge.

The present edition of the pre-session manual is an effort to provide a sequence of ideas which would carry the new legislator through a story which is partially logical and partially chronological. The style was made lighter, and symbols were introduced, not in a spirit of facetiousness, but in an effort to highlight the significant items.

It is impossible to mention, to say nothing of discuss, all the items of legislative organization and procedure which are worth-while. Much of it would be meaningless to the new legislator, and much of it will become a part of his knowledge without any realization on his part because of its repetition.

This manual will be considered time well spent if, as a result of this effort, some of the legislators can enter upon their duties with a greater understanding of their duties and confidence in their ability to perform the functions divested in them.

THE
LEGISLATOR
COMES
TO
MADISON



Notice of Election

After the vote in the November general election was canvassed you received a notice from the proper election official, the county clerk or the secretary of state, certifying that you were elected. This is the official notice of your election.



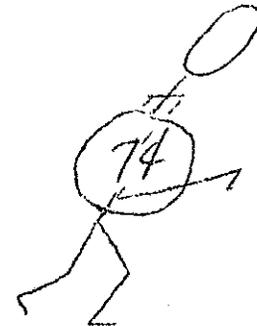
When the Legislature Meets

19 JANUARY 57						
5	6	7	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14					

The legislature by statute meets at 12 o'clock noon on the second Wednesday in January of the odd-numbered year. (See section 13.02 of the statutes) This will be on January 9th in 1957.

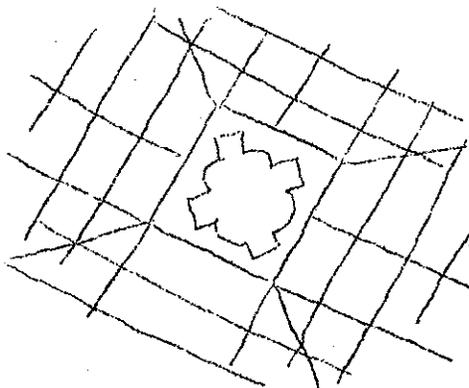
Payment for Travel to and from Madison

The statutes grant members 10¢ a mile travel expense to and from the capitol once during each regular and each special session of the legislature by the most usual route, (See section 20.530 (1) (b) of the statutes) and also grant mileage both ways once each week during the session at the same rate paid officers and employes. The rate, set by statute, is currently 7¢ per mile for the first 2,000 miles and 6¢ a mile thereafter during any one month. (See section 20.530 (1) (g) and 20.941) The chief clerk will prepare the necessary forms for you to claim such reimbursement and will notify you when the expense account is ready for signature.



Members are cautioned not to claim mileage for week ends when they do not travel to their homes, and not to claim mileage in excess of that traveled. Some years ago some doubts as to the validity of the certified claims was raised on members who claimed railroad mileage but who actually traveled over shorter routes by personal vehicle.

The City of Madison and the Capitol

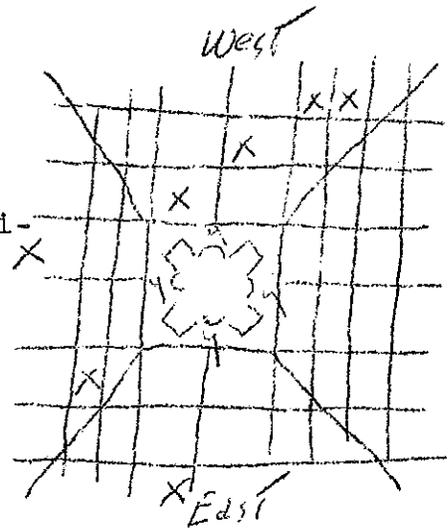


The many highway routes which enter Madison tend to gravitate toward the capitol which can be seen from the outskirts of the city. The capitol is situated on an isthmus between 2 lakes, and this isthmus connects the east and west section of the city. The capitol is surrounded by a square, each side of which is 2 blocks long. The streets of the city more or less radiate from the square on which traffic is one way only.

LRL-R-115
Parking in Madison

There are 4 major parking procedures in Madison for legislators:

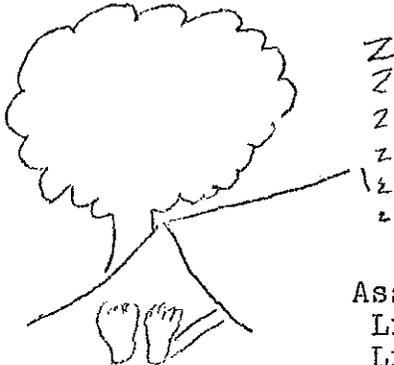
1. Legislators who have permanent metal identification tags affixed to the rear license plates of their vehicles issued by the state engineer may park in the 4 driveways marked Y in the diagram to the right. These tags are procured from the sergeant at arms of your house.



2. While there are no parking meters on the inside of the square around the capitol, this area is under the jurisdiction of the city police, and it is posted for 1-hour parking.

3. Most of the streets near the square have parking meters, and the parking restrictions are enforced.

4. There are several city owned and private parking lots near the square. A city owned parking lot is located within 2 blocks of the square on the east, west and south sides. They are marked X on the diagram above.



A Place to Live in Madison

Legislators solve their housing problems in several ways. They live in hotels, apartments, or rooms, or travel back and forth each day from their homes. During the past 4 sessions the distribution has been as follows:

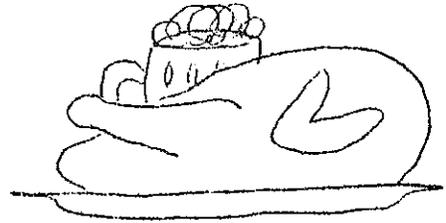
	1949	1951	1953	1955
Assembly				
Live in hotels	80	74	73	76
Live in apartments and rooms	17	23	24	18
Live at home	2	3	3	6
Senate				
Live in hotels	28	29	29	26
Live in apartments or rooms	0	1	3	5
Live at home	1	1	1	1

During 1955 members resided at the following hotels: Belmont, Claridge, Fess, Loraine, Madison, Madison Club, Monona and the Park. Additional hotels in the city include the Capital, Cardinal, Edgewater, Kehl's Casino, Washington and Wilson. The most popular hotels are the Loraine and Park. The Monona Hotel has been torn down.

The classified ads of the Wisconsin State Journal and Capital Times both at 115 South Carroll Street carry a daily listing of rooms and apartments. The Madison Chamber of Commerce, above the Madison Bank and Trust Company, has given assistance to legislators in finding suitable accommodations. Some members make their housing arrangements before the session begins.

Where to Eat in Madison

The classified ads in the Madison telephone directory list 182 restaurants in Madison and its environs. They range from the quick lunch variety to the supper clubs. There are 3 good cafeterias near the Square as well as a variety of quick lunch spots and restaurants. Some of the better known eating places are near the Square, but most of them are on the highways leading to the city.

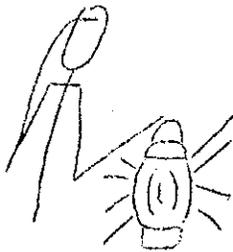
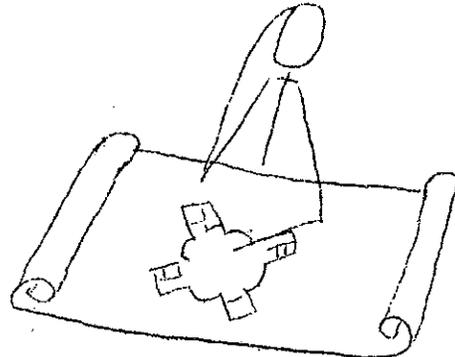


Shall I Accept an Invitation to Eat from a Lobbyist



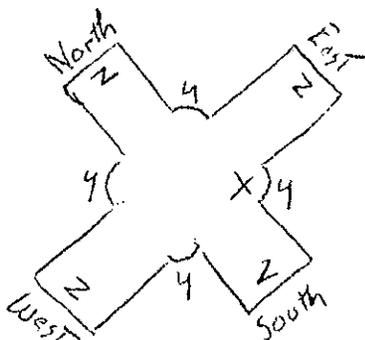
There is no law or rule which prohibits the acceptance of entertainment or food from a registered lobbyist. Some members of the legislature do not accept any invitation to eat on the grounds that they do not wish their thinking or their vote to be influenced, while others do not hesitate to accept a meal because they do not feel that their vote can be influenced by such considerations. The so-called corrupt practices law requires the lobbyist to report moneys expended for meals, drinks and entertainment but does not require that the beneficiaries of the meals be listed.

THE
PHYSICAL
ENVIRONMENT
OF
THE
LEGISLATURE



Finding Your Way in the Capitol Building

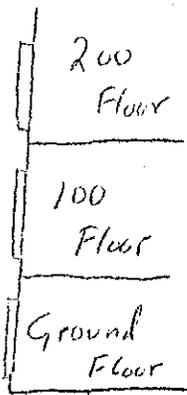
To prevent confusion, orient yourself so that you always know where you are when you enter the capitol. Here are some helpful hints:



1. On the ground floor, Jerry Higgins, the blind man has a stand in the east wing, marked X on the chart to the left.

2. The major legislative rooms are 2 floors above. The assembly is in the west wing, the senate in the south. The reference library is in the north wing. The governor is just one floor above Jerry's stand in the same wing.

3. Approaching the building, the wing toward the Park Hotel is south, that toward the Belmont is north. The State Street entrance is directly below the assembly chamber.



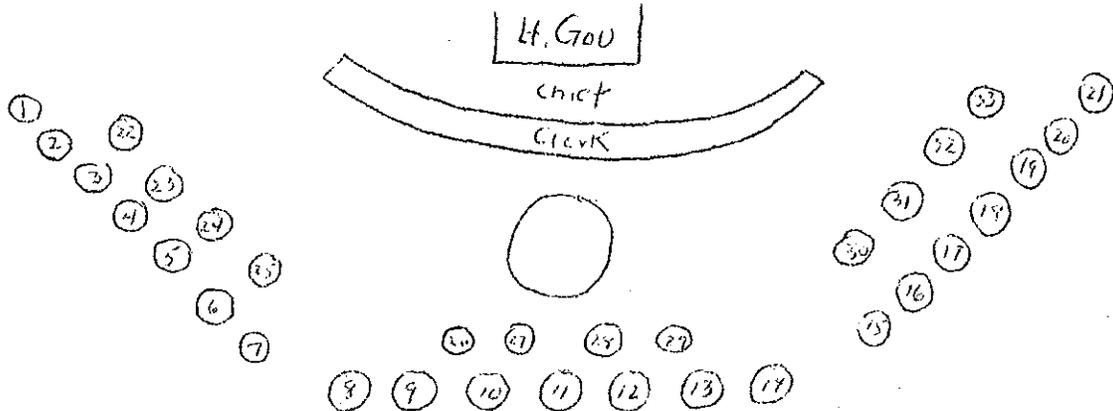
4. There are entrances in each wing, marked Z in the diagram above, and an entrance between the wings at the points marked Y.

5. The floors of the capitol are numbered as are European buildings. The rooms on the ground floor are under 100; those on the next floor in the 100s, and on the next floor in the 200s. Both chambers are 2 floors above the ground, but are numbered in the 200s.

6. There are elevators in each wing of the capitol, but they do not run all the time. Note the sign on each elevator station on the ground floor announcing whether or not it is in operation, and what other elevators are running.

The Senate Suite

The second floor of the south wing is devoted to the senate suite. In the center is the senate chamber. It seats 33 senators whose seats are arranged in the following manner:



The presiding officer of the senate is normally the Lieutenant Governor who sits at the very front of the room. In front of him is the position of the chief clerk who seldom has a chance to sit. The chief clerk is flanked by his subordinates. At each entrance messengers to run errands for the senators are stationed.

Around the outside of the senate chambers is a suite of rooms. If we walk along the right side of the chamber we pass the following rooms.

- | | |
|----------------|---|
| Room 247 South | Little Boys' Room |
| Room 246 South | Document Room where extra copies of bills, amendments, etc. may be obtained |
| Room 243 South | Sergeant at Arms Office |
| Room 241 South | Chief Clerk's Office |
| Room 237 South | Lieutenant Governor's Office |

Across the back of the chamber behind the Lieutenant Governor's rostrum is the senate lounge where you may rest or bring your friends or constituents to talk.

Coming back down the opposite side of the senate chamber we pass the following rooms.

Room 214 South	Republican Caucus Room
Room 212 South	Democratic Caucus Room
Room 210 South	Senate Agri. and Conser. Committee Room which is used by the Legislative Council for its deliberations between sessions
Room 207 South	Committee Office. Directly outside this room is a cloak room.
Room 202 South	Legislative Council Office
Room 204 South	Legislative Council Office

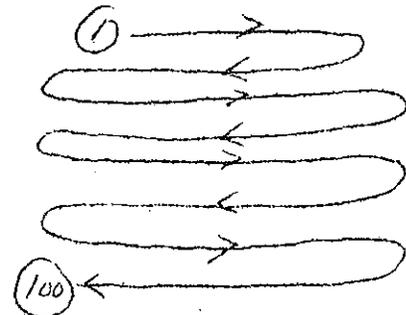
Aside from the Senate Highway Committee Room, 213 Southeast between the senate and supreme court, all the senate committee rooms are on the floor above.

The Assembly Suite

The second floor of the west wing is devoted to the assembly suite. The assembly chamber which is larger than the senate because there are 100 members occupies the center of the assembly wing. It faces north, and the seats are numbered across the chamber in this fashion.

The presiding officer who is generally the speaker sits on a podium in front. Directly ahead of him is the chief clerk who is flanked by his assistants.

On either side of the room at the front are huge boards on which there is an alphabetical list of the members' names. These record the votes on the electric voting machine, a procedure which will be explained later.



Directly back of the speaker's rostrum is a suite of offices and other facilities as follows:

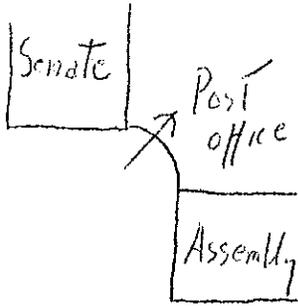
Room 214 West	Speaker's Office
Room 218 West	Chief Clerk's Office
Room 220 West	Revision Clerk's Office
Room 223 West	Cloak Room and Men's Wash Room

Note: There is no ladies' wash room in this wing. The nearest one is in the north wing, room 205 north.

To the rear of the assembly chamber is the sergeant at arms office, room 210 west, the assembly lounge and the assembly document room, 205 west, where copies of bills, amendments and other official documents can be secured.

The Legislative Post Office, 217 Southwest

Between the senate and assembly chambers is the legislative



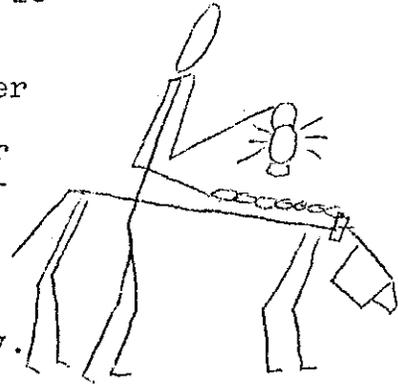
post office in which each member is assigned a box by the sergeant at arms of his house. This box should be checked daily. The room also has toll telephones, a public stenographer, and has on occasion had an improvised coffee bar.

The Location of Administrative Offices

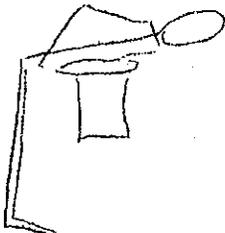
Almost without exception the top level offices of the administrative agencies are located in the capitol or state office building which is 2 blocks from the capitol. The Grain and Warehouse Commission, Real Estate Board,

Dental Examiners Board, and the Athletic Commission are among those located outside Madison.

There are several ways to find the proper office. One way is to look up the location in the capitol telephone directory. Another way is to ask the guides on duty in the capitol or office building. A third way is to check the directory in the rotunda of both the capitol and the state office building. A fourth way is to inquire of the reference section of the Legislative Reference Library.

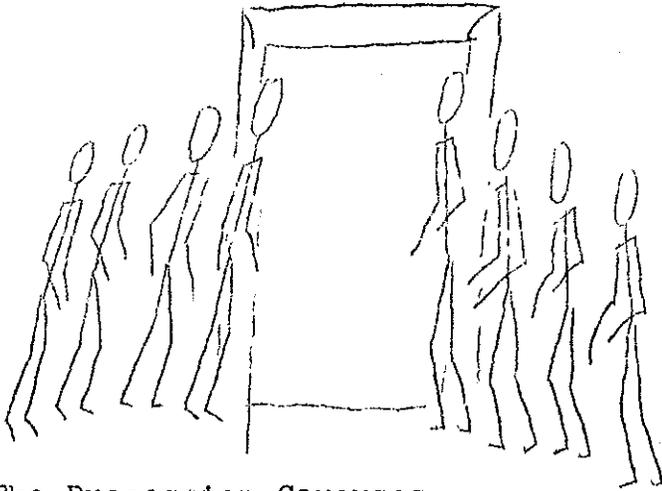


Protocol in Dealing with Administrative Departments



While no administrator will criticize a legislator for not following protocol, some department heads prefer that requests come through them so they may direct such inquiries to the proper person and know what requests are made. This prevents divergent statements on the same subject from the same department. Almost without exception there is someone in a department who is best able to answer a particular question, and unless the legislator knows who it is,

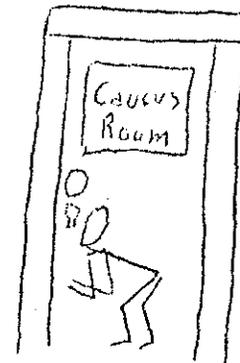
he may well spend considerable time finding such person if he does not clear with the top people of the agency.



THE
SESSION
BEGINS

The Presession Caucuses

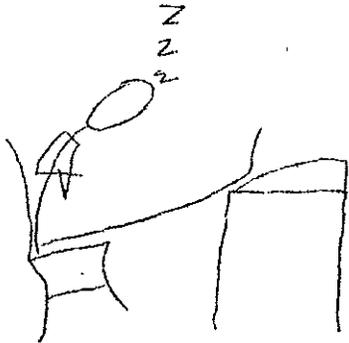
Either on the Tuesday afternoon before session or the Wednesday morning of the session the members of each political party in each house hold a caucus at which they seek to agree upon candidates for the offices of the house and of their political organization. Each party in the senate may propose a candidate for president pro tempore who acts when the lieutenant governor is not present, a chief clerk and a sergeant at arms.



In the assembly each party arrives at a candidate for speaker, chief clerk and sergeant at arms.

Sometimes the minority party does not propose a candidate for chief clerk or sergeant at arms. Agreements reached in these caucuses result in nominations presented at the opening session when each house is being organized.

At this or a subsequent meeting of the caucuses floor leaders and assistant floor leaders to direct the plan of procedure of the party are selected.



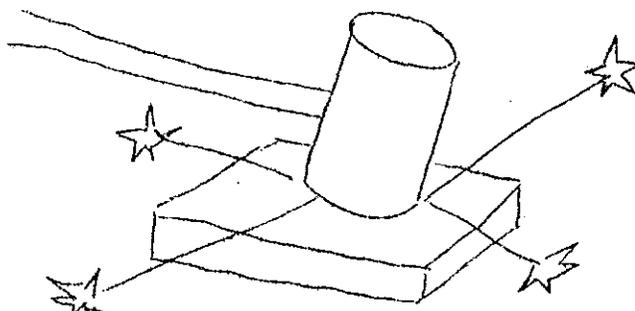
The Wise Use of Leisure Time

At this time it may be well to stop for a gratis philosophic admonition. Between Tuesday afternoon when the caucus adjourns and Wednesday noon when the session begins there is a period of 20 hours, typical of the long stretches between meetings, which can be used fruitfully or wasted during a session.

Madison has 7 movies, a university theatre, an amateur theatre group, a symphony, one or more choruses, several university musical groups, an extensive intercollegiate and interscholastic athletic program, several dance halls and a variety of bistros in which to spend leisure time. In addition, the university in particular and the city in general affords

a variety of opportunities to hear discussions of an equally wide variety of subjects. If, on the other hand, you desire to consider some of the problems before the legislature it is possible for you to utilize the libraries of the Wisconsin Historical Society, the University, the City of Madison or the library created for your special benefit, the Legislative Reference Library located in the north wing of the capitol on the same floor as your chamber. Here you will find a wide variety of materials on subjects likely to be considered by the legislature, and people trained and paid to help you.

The First Day of the Session



In the following description a chronological sequence of the first day's activities in both houses is listed.

Senate

Each house is called to order at 12 o'clock noon.

The lieutenant governor calls the senate to order.

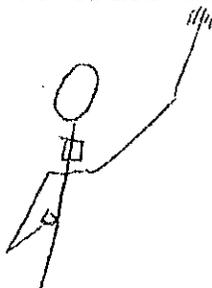
A prayer is offered.

Assembly

Each house is called to order at 12 o'clock noon.

The chief clerk of the previous session calls the assembly to order.

A prayer is offered.



The chief clerk of the prior session reads the communication from the Secretary of State listing the members elected.

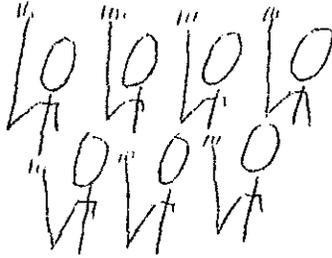
The roll of the newly elected members is called by the prior chief clerk, and as their names are called, they move to the center of the chamber.



The prior chief clerk calls the roll of the newly elected members.

Senate

The oath of office is administered to the newly elected members by the Lieutenant Governor.



The roll call of all members is called.

Nominations for president pro tempore are made and this officer elected.

President pro tempore takes oath.

Chief clerk is nominated and elected.

Sergeant at arms is nominated and elected.

Organizational resolutions are introduced and adopted.

Resolution requesting Bureau of Purchases to provide stationery.

Resolution notifying assembly that senate is organized.

Resolution inviting clergy of Wisconsin to open sessions with a prayer.

Resolution adopting rules of the prior session (amendments may be proposed).

Resolution selecting Committee on Committees, which makes committee assignments and assigns the seats on the basis of seniority.

Assembly

The oath of office is administered. For the past 11 sessions it has been administered by the Chief Justice who makes a few remarks before administering the oath. The members stand at their seats as the oath is administered.

Nominations for speaker are made and this officer is elected. Filling this position takes the most time, and in the event that agreement is not reached, a recess is taken in order to caucus in an effort to reach agreement.

After the speaker is elected, the chief clerk appoints a committee to escort the speaker to his chair and he takes over as presiding officer.

Chief clerk is nominated and elected.

Sergeant at arms is nominated and elected.

Organizational resolutions are introduced and adopted.

Resolution notifying senate that assembly is now organized.

Resolution providing the manner of selecting seats.

Resolution inviting clergy of Wisconsin to open sessions with prayers and instructing chief clerk to make arrangements.

Resolution providing members with stationery and envelopes.

Resolution adopting the rules of the prior session (amendments may be proposed).

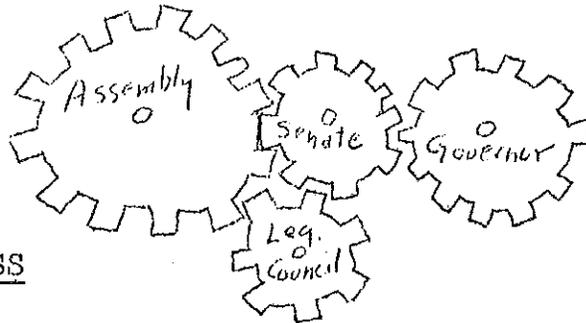
The Political Organization of the Legislature

In recent years the legislature has consisted of 2 major parties, Democrats and Republicans. In the past other parties have also been represented.

The carrying on of a portion of the legislative business involves political considerations. For that purpose an organization is normally maintained by each party. The legislative members of each party compose a caucus which frequently meets in advance of or at the close of daily sessions to discuss the issues to be considered, and to agree on a plan of action. Caucus rooms are provided in the capitol.

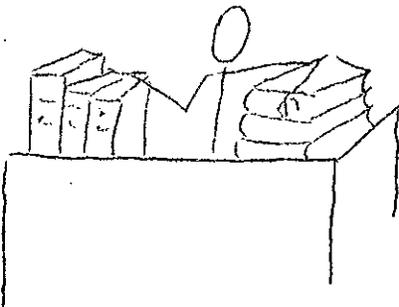
In each house each party selects a floor leader who manages the party strategy on the floor of the house. He is aided by an assistant floor leader. In addition, they may have a chairman of the caucus who presides at the caucus meetings. Obviously the officers of each house, presiding officer, chief clerk and sergeant at arms are members of the dominant party.

THE
MECHANICS
OF
THE
LEGISLATIVE
PROCESS



The Rules Governing the Legislative Process

The legislature like all other deliberative bodies is governed by a set of rules. The most important rules are the constitutional provisions governing the legislature which provide, for example, that the regular session meets in Madison at noon on the second Wednesday in January of odd-numbered years.



Next most important are the statutes which provide the salary of the legislators, for example, and establish several of the committees of the legislature, the Legislative Council, the Reference Library, the bill drafting service, the salary of the em-

ployes, and many other items.

Of equal importance are session laws, generally temporary in nature. Of significance in this connection have been acts to provide a cost of living bonus for legislative employes at particular times.

Subjects of common interest to both houses are dealt with by joint rules. These deal with the form of bills, procedures for conference committees, procedure for signing bills, special procedure for acting

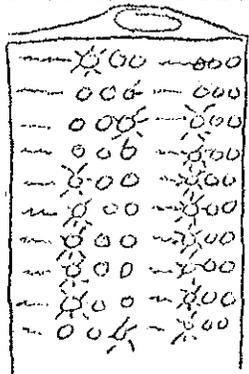
on finance bills and similar items are examples of joint rules adopted by joint action of both houses. These rules may be changed only by action of both houses, but they may be suspended by action of one house. These are printed in the manuals of both houses.

The rules of the senate deal with the procedures in the senate and the conduct of its members. The senate rules are published in a manual which comes out every 2 years.

The assembly rules deal with the procedures in the assembly and conduct of its members. Many of the rules are similar to those of the senate, but others are very different. They are incorporated in a manual published biennially.

In both houses the presiding officers are occasionally called upon to interpret the application of the rules to particular situations, and these rulings or precedents are published with the rules to which they apply. They have an effect similar to that enjoyed by case law in relation to statutes.

In both houses in the absence of a rule, Jefferson's rules of parliamentary procedures hold.



The Method of Voting in the Legislature

There are several methods of voting in the Wisconsin legislature. The most precise and difficult method is the roll call in which the vote of each member present is recorded. In the senate this is done by calling the roll. In the assembly this is done by the use of the voting machine, the first such device used by a legislature in the United States. A roll call vote is required on certain types of proposals such as banking bills, appropriation measures and joint resolutions amending the constitution. It may also be demanded by one-sixth of the

members present in the senate or assembly. If a member requests a roll call, the chair asks if there are sufficient seconds, and if a number equal to one-sixth rise, the roll call is required. The roll calls are recorded in the journal, a copy of which is on the desk of each member the morning after each session. Approximately one thousand roll calls are had in each house during a typical session.

The second method of voting is by voice vote. Under this method those in favor of a proposition vote "aye" when requested and those opposed vote "no" when requested. The presiding officer determines whether more people voted for or against the proposal.

The third method of voting is less tangible but nevertheless important. It is the process of unanimous consent. By this process, if no objection is imposed, certain actions may be taken. Thus by failing to raise an objection and remaining silent, a member votes for consent. If all present remain silent, it is assumed that unanimous consent exists.

There are many types of situations where votes are taken, some significant, others trivial. The key vote on proposals in the house of origin is generally on passage or indefinite postponement, while in the second house it is normally on concurrence or nonconcurrence. Amendments are adopted or rejected in the house of origin, and concurred in or nonconcurred in if subject to separate vote in the second house.

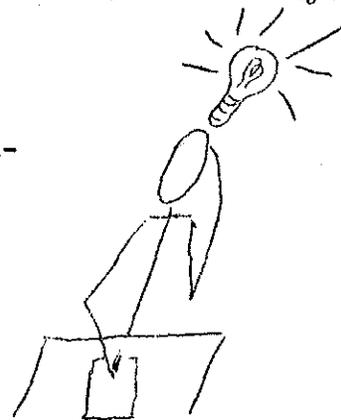
Motions may be so worded as to imply a vote contrary to that intended. For example, a person who favors a bill may be confused by the motion to reject which necessitates that he vote "no".

Normally a majority vote of those present is all that is required, but in certain cases a two-thirds vote or a majority of those elected is required.

Members frequently raise the question of whether they must vote. There is no clear-cut statement in the assembly rules on the point although Senate Rule 73 requires that every member vote. The assembly recognizes abstinence when it records those who did not vote "aye" or "no" as absent or not voting.

The Legislator Introduces a Bill

Although there is no law or rule which compels a legislator to introduce any legislation, there are few who resist the urge to improve the laws under which we live. Only members of the legislature and committees and the Council can introduce legislation. How does the legislator proceed to introduce a bill?



The legislator can write the bill himself or hire a lawyer to do it, but neither process is necessary any longer. The state maintains an agency, the Legislative Reference Library in the north wing of the capitol on the second floor where qualified bill draftsmen are employed by the state to prepare legislative proposals at the request of legislators, legislative committees, administrative departments, representatives of other levels of government and private citizens upon the request of a legislator.

If a legislator's constituent asks him to have a bill prepared requiring all motor vehicle drivers to sound their horns at every intersection, the lawmaker can bring the request to the Legislative Reference Library where it will be prepared. When completed, a draft is submitted to the requestor with the caution that he should look it over and make suggestions for changes if he so desires. When the proposal is in such form that it is acceptable, the legislator requests that it be prepared for introduction.

When a bill is prepared for introduction, 4 typed copies properly backed are inserted in an envelope called a jacket which follows the bill from then until it is finally disposed of. The jackets for assembly bills are blue, for senate bills they are white. By rule no proposal can be introduced in the senate unless it has at least been checked by the Legislative Reference Library, and by custom the same

is now true of the assembly.

The member retains the bill in the jacket in his possession until the proper order of business is reached during a daily session. It is called "Bills offered for introduction". When that time is reached, the member having a bill to introduce holds it up, and a messenger will pick it up and carry it to the chief clerk's desk where it is recorded. It is, to all intents and purposes, now introduced.

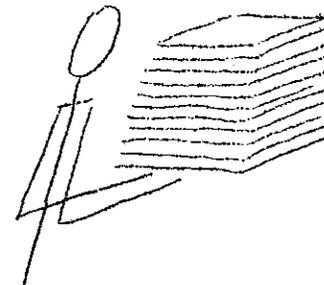
Can the Legislator Introduce a Measure for Someone Outside the Legislature?



You have probably had individuals or groups from your constituency ask you to introduce a bill or to have a bill drafted to solve a problem they have. There is nothing wrong with this. Probably the idea for most bills comes from someone other than a legislator who suffers a real or imagined hardship which he wants solved. If you wish, you may have a notation made on the proposal stating that you are introducing it at the request of the person or group who asked you to do so.

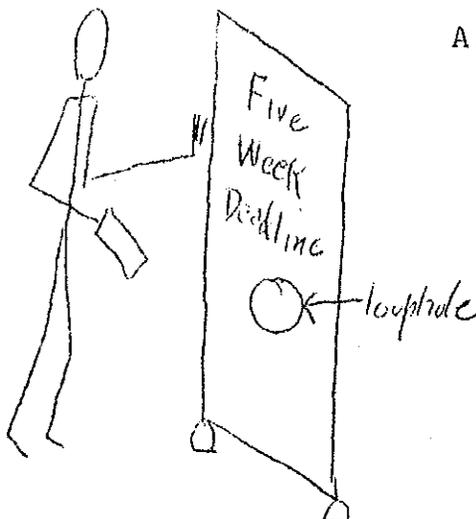
How Many Proposals May a Legislator Introduce?

There is no limit to the number of proposals which a legislator may introduce. Some believe only the most important measures should be introduced. Others believe every proposal with any merit should see the light of day. Experience seems to indicate that quality is more important than quantity.



Is There Any Deadline for the Introduction of Legislation?

1. By Individual Members



A. General. Although bills cannot be introduced until the session begins, they may be prepared for introduction at any time. In recent years an increasingly large number of requests have been made for the drafting of bills in advance of the session. Chapter 102, Laws of 1949, created section 13.146 of the statutes which permits the pre-session printing of bills by the Legislative Reference Library.

The rules of both the senate and assembly provide that the time for introducing new bills and resolutions by

members shall expire at the close of the fifth week of the session.
(Senate rule 34; Assembly rule 46; Jt. rule 18)

- B. Procedure after the fifth week. Both the senate and assembly rules have a specific procedure for members to follow if they desire to introduce a bill after the close of the fifth week. In the senate under rule 34 after such bill has been presented to the chief clerk by the member, it must be delivered to the Committee on Legislative Procedure which must report within 48 hours recommending that the bill be either received or rejected. If the committee recommends that the bill be received, it can be received only if two-thirds of the members present and voting thereon approve. In the assembly, under rule 47, if the bill is approved by the Committee on Revision after the member has introduced it, it is referred to the Committee on Rules which must, within 48 hours, report recommending that the bill be received or rejected. The bill can be received by the assembly only if two-thirds of the members of the assembly present, vote for reception. (Senate rule 34; Assembly rule 47)
- C. Unanimous consent. It is a generally accepted parliamentary principle that much may be done by unanimous consent. It therefore follows that if no objection is raised to a request for unanimous consent to introduce a bill, the rule prohibiting introduction of a bill after the fifth week may be bypassed. (Senate rule 89, 90; par. 526, rules of assembly; Jt. rule 15)
- D. Suspension of the rules. As unanimous consent implies, a single objection will prevent its operation. For that reason attention should be called to another means of accomplishing the same objective, namely the use of suspension of the rules. As the name implies, this device provides a technique for avoiding the requirements of the rules. Rule 89 of the senate and rule 100 of the assembly provide that the rules may be suspended by a yeas and nays vote provided two-thirds of the members present vote in favor. Joint rule 15 provides a similar process for the suspension of joint rules.
- E. Modification of the time limit rule for members. In recent years the time limit of 5 weeks has not been extended, but because it is a physical impossibility to prepare all bills for introduction within the 5-week period, provision is made in the joint rules by rule 18 to permit members to comply with the requirement by permitting introduction by title. Under this procedure the member submits a title for the bill to the Reference Library within the 5-week limit and has until the end of the seventh week to submit the drafting instructions. If the drafting request was submitted to the Legislative Reference Library before the end of the fifth week and the drafting instructions were submitted before the end of the seventh week, the library certifies to these facts, and the bill may be introduced at any time thereafter. If these conditions are not complied with, the bill is returned to the member and he must have the bill introduced under the provisions which normally apply to bills after the fifth week.

2. By Committees

There does not appear to be any specific authority in the rules of either house for a committee to introduce a bill. In fact the impression may be gained from the rules that only members may introduce bills. Senate rule 31 and assembly rule 45, however, both provide that the chief clerk shall note on the envelope the name of the committee or person introducing a bill or resolution. It is a common practice for committees to introduce bills.

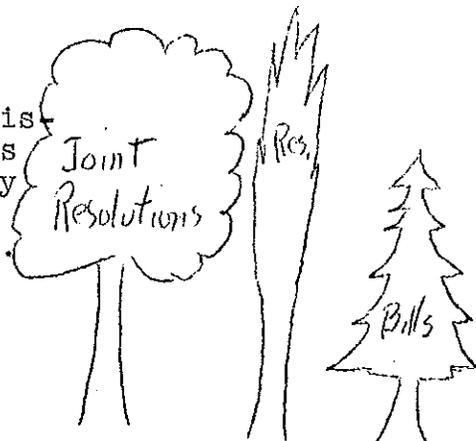
The introduction of bills by committees is restricted by joint rule 19 which provides that generally bills cannot be introduced by a committee after the seventh week. The same procedure for avoiding this rule exists as applies to bills of individual members after the deadline. The Committee on Legislative Procedure in the senate and the Committee on Rules of the assembly may recommend that bills be introduced. In addition the deadline does not apply to bills introduced by the Joint Committee on Finance, the Joint Committee on Revision, Repeals and Uniform Laws, the Legislative Council or by any interim committee authorized by its creation to introduce bills. It likewise does not apply to Revisor's general correction bills. By Resolution 15, A. the assembly in 1949 adopted rule 46M to the effect that after the fifth week committees may introduce only bills dealing with the subject over which they have jurisdiction.

3. By the Legislative Council

Under the statute creating the Legislative Council, it is given specific authority in section 13.35 (3) (d) to introduce bills. There is no apparent restriction on the time when such bills must be introduced. Because the council is an entity in itself which is not directly dependent upon the outcome of an election for its legislative life and because it formulates its program during the interim period, much of the legislation which it introduces is ready in advance of the session or at least early in the session. In 1949 the last council bill was introduced in the senate on March 17 and in the assembly on February 24. In 1951 the last council bill was introduced in the senate on April 26, and in the assembly on March 14.

The Kinds of Legislation

There are essentially 3 kinds of legislative proposals; bills, joint resolutions and resolutions. Bills require passage by the house of origin, concurrence by the second house and action by the governor. They may be statutory, which is to say general and permanent in effect, or they may be session laws which are presumed to be temporary or special in their application.



Joint resolutions are devices used to get agreement between the 2 houses on materials not requiring the governor's approval. Some relate to joint rules, others memorialize congress or direct the Legislative Council to study something. Still others amend the state

Resolutions deal with the internal operation of a house and concern matters affecting the membership of that house only.

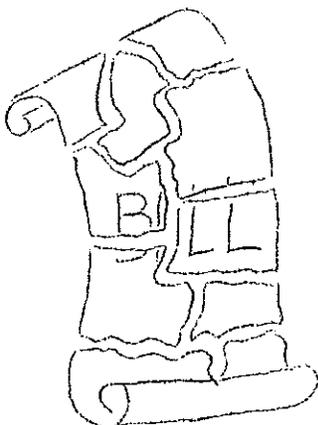
Bills, joint resolutions and resolutions may be amended in 2 ways. A drastic revision of a bill which is offered as a substitute is called a substitute amendment while a simple change is called a simple amendment. The introduction of a substitute amendment complicates the procedure because it normally requires that the bill be laid over one day.

Bills, joint resolutions and substitute amendments and amendments thereto are printed immediately upon introduction, and copies are placed in numerical order in books on your desks each day by the clerical staff.

Bills, joint resolutions and resolutions are each numbered consecutively for each house, and the suffix "S" or "A" is added to indicate the house of origin.

The Parts of a Bill

Note: Following this section there is a copy of a bill to which you may wish to refer.



To a person who for the first time sees a bill to be considered by the Wisconsin legislature, the over-all view may well be confusing because the bill seeks normally to fit the proposal into the existing statutes, and therefore it does not necessarily make a well knit package.

Bill number. At the time of introduction bills are numbered consecutively for each house beginning with number 1 and the house of origin is designated by the letter "S" for senate or "A" for assembly immediately thereafter. Thus the first senate bill is Bill No. 1, S. and the 200th assembly bill is No. 200, A.

Title. The title indicates the subject of the bill. It normally has 2 parts; a list of the existing statutes or session laws which are affected and a short statement of what the bill is about, called the relating clause. The bill may affect the statutes or session laws by repealing, amending, renumbering or creating parts thereof, and the same bill may amend, repeal, create and do other things to different parts of the statutes. The relating clause should clearly identify the subject matter of the bill by a short concise statement. Thus a bill to amend the existing law on tavern hours might read "A bill to amend 66.21 (3) of the statutes relating to establishing 2 a.m. as the closing hour in all taverns." Two important phrases must be made part of the relating clause if applicable. If money is appropriated there must be a phrase stating "and making an appropriation". If a penalty is attached, there must be a phrase stating "and providing a penalty".

Enacting clause. The next part of the bill is the enacting clause which states that "The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:" Without it, the bill has no validity.

The body of the bill. Everything which follows the enacting clause is part of the body of the bill and is the substance of the measure. There are certain features thereof which should be highlighted, but there is no substitute for the thorough reading and study of a bill.

Arrangement of the material. In a long bill which deals with many items, some order of presentation is necessary. Normally, bills relate to the statutes, and thus the presentation of the statutes in their numerical order creates a sequence which can be followed.

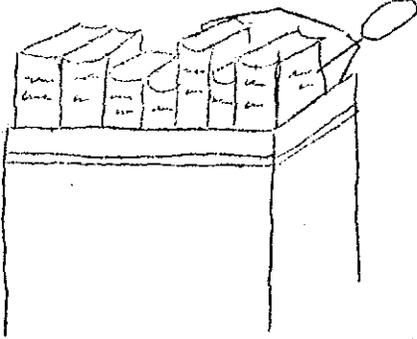
The statutes are numbered in chapters, such as Chapter 20 which is appropriations, Chapter 40 which is the school law, Chapter 59 which relates to counties, Chapter 85 which is the law of the road, etc. Within each chapter, the subdivisions are represented by decimals, generally beginning as .01. This makes it possible to have 99 sections from .01 to .99 and more can be created by adding another decimal such as .012, .015 and .017. Within each section, as these are called, there may be subsections designated by (1), (2) etc. and within these there may be paragraphs designated by letters in parenthesis such as (a), (b), (bc), etc. Finally, subdivisions represented by plain Arabic numbers may be used.

Action proposed. The bill is divided into SECTIONS, each of which is headed by a statement as to the action proposed. Only one action takes place in each section. It either repeals, creates, amends, renumbers, repeals and recreates or renumbers and amends.

The text material. In order to make it clear exactly what is being done to the text material various devices are followed. If the section is repealed, only a statement to that effect is given. If the material is created, the text is given. If a portion of the text is amended, lines are drawn through the part to be deleted, and the new material is printed in italics or underscored in typing.

Mechanical sections. In the process of enacting legislation, it is sometimes necessary to make special reference to some of the technical considerations, such as the effective date, the effect of an adverse court decision, etc. These provisions normally come at the end of the bill.

A bill to illustrate the foregoing points follows on the next page.

The Documents on Your Desk

Beginning with the first day an ever increasing pile of documents, which you will presumably use with understanding, will accumulate on your desk. They include the following:

Bills. Each bill as it is printed will be filed in a cover on your desk; the assembly bills in a black cover, the senate bills in a red cover. As amendments are introduced and printed, they will be filed after the bill to which they apply.

Joint Resolutions. Similar books are maintained on your desk for senate and assembly joint resolutions.

Acts. As bills become law they are printed separately and filed in a cover as are bills. One such book appears on each legislator's desk.

Journal. Each morning the journal of the prior day's session on pink paper is laid on each member's desk, and in the course of the new day's session the prior day's journal is corrected and approved. As approved it is reprinted and ultimately bound and indexed. The journal is not a verbatim report of what is said, but merely a record of the actions taken.

Calendar. Each day's bills are scheduled for consideration by each house, and as the session progresses, the schedule of bills becomes substantial. In fact, sometimes the schedule for a day is not completed and must be held over until the next day. This schedule is called the calendar, and one for each house is on each member's desk when he arrives in the morning.

Bulletin of Proceedings. After the second week a cumulative weekly bulletin is prepared listing each bill by number, its title and each step in the action thereon completed to date. The bills are also indexed by subject and by author, and the final issue provides an index to each action. The bulletin also lists all joint resolutions and resolutions.

Hearing Bulletins. Toward the end of each week the program of public hearings for the next week is released as a bulletin listing each bill to be heard, the time of the hearing, and the room in which the hearing will be held.

Manuals. The rules of procedure for each house are published in manuals which provide a variety of other information. They are minutely indexed to assist the legislator in finding the rules applicable to specific situations.

The Additional Perquisites of a Legislator

By statute, rule and custom each member of the legislature gets a variety of additional materials including a copy of the most recently published statutes, the published session laws at the end of the session, 200 copies of the Blue Book published in the second year of his

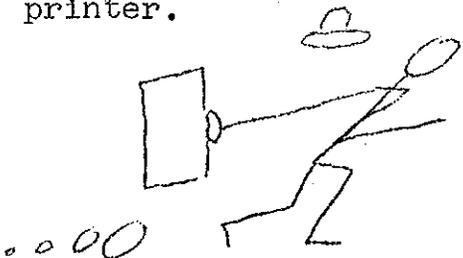
term if he is an assemblyman and 300 copies if he is a senator, which the Bureau of Purchases will ship to any address he designates, 25 wall highway maps, up to 250 folded highway maps, a Parker fountain pen, a copy of the directory of the legislature, 1,000 sheets of stationery and envelopes unless more is authorized by resolution, copies of the budget estimate printed pursuant to section 35.06 of the statutes and copies of printed messages of the governor and reports of the departments. In addition you receive copies of all Legislative Council reports, reports of all other interim committees, the legislative newsletter published by the Legislative Reference Library in the interim period. Members also receive theatre passes, complimentary tickets to University athletic contests, invitations to dinners by the University, the Chamber of Commerce and the Governor.

The Blue Book

The Wisconsin Blue Book is a biennial publication of the state authorized under section 35.24 of the statutes. It must contain lists of legislators and legislative employes, statistical and other information of the same general character as has appeared in previous Blue Books, and should be useful to civics classes in high schools. It is in fact a biennial encyclopedia of facts regarding Wisconsin government. In addition to election statistics, party platforms, data on cities, villages and counties, information regarding each of the administrative departments, a resumé of the state courts, information on the federal government, data on Wisconsin organizations and publications and a copy of the state constitution, it contains at least one major article on some aspect of Wisconsin government. Many of these articles prepared in the past are still considered authentic enough to be widely read today.

The Blue Book is compiled and edited by the Legislative Reference Library, but is paid for out of the general fund. The distribution is made by the Director of Purchases in accordance with the provisions of section 35.84 (14) of the statutes. Each legislator gets a leather back copy with his name in gold on it. Copies may also be purchased from the Bureau of Purchases for \$1. Copies are also provided to the schools, public libraries, county and city officials, and a variety of other groups provided for by law.

The preparation of the Blue Book is a year round job which begins anew immediately after the previous issue is off the press. Immediately after the general election new members of the legislature are sent requests for biographical material for the section on the legislature. Much time and energy can be saved by prompt attention to these requests. The biographical data is prepared from information submitted by each legislator in response to a questionnaire sent out shortly after the general election. In order to remain within the statutory page limitation the biographies are limited in length. Both the pictures and biographies are submitted to the legislator for approval before the proof is sent to the engraver and printer.



How Can You Arrange to Be Absent?

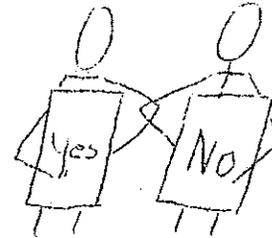
As a representative of roughly 35,000 Wisconsin residents if he is an assemblyman or about 100,000 if he is a senator, the legislator will find it advisable to be present . . .

at all sessions. Occasionally, however, matters of pressing personal business, illness in the family or personal illness makes it necessary to be absent from the session. The rules of both houses provide that no member shall be absent except for illness or other cause during the entire day without first having obtained leave of absence. In other words unexcused absences are not permitted under the rules.

If a member anticipates an absence, he may request the house to grant leave. If a member must be absent, another member may request that he be granted leave.

What Is a Pair?

If a member finds that he must be absent on a day when a particular measure on which he desires to vote comes up, he can arrange a pair with a person who intends to vote on the other side so that his vote and that of the other person cancel out. Such an arrangement is effective only if the person is absent and only on the questions agreed to.



What Is the Purpose of the Committee System?

It would be impossible for the entire legislature to give the full consideration necessary to each measure presented to it. For that reason each house of the legislature is divided into groups who give preliminary consideration to the proposals and recommend to the full house the action on the proposal which they think proper. These groups are called standing committees.



Many years ago it was common to have many such committees, but in recent years the number of committees has gone down. Each such group considers a particular category of proposals which are assigned to the committee by the presiding officer upon introduction.

How Are Committee Assignments Made?

In the senate the nominations to the committees and the chairmanships thereof are made by the 3-member Committee on Committees which is selected by the senate. In the assembly the appointments are made by the speaker. To a large degree the chairmanships are given on the basis of seniority.



The nominations are approved by the senate.

In Brief, What Does the Committee Do?

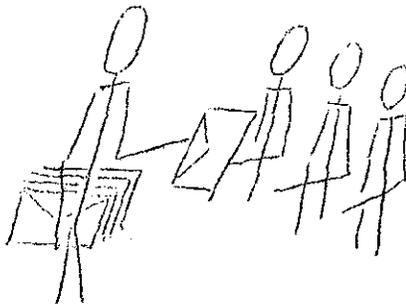
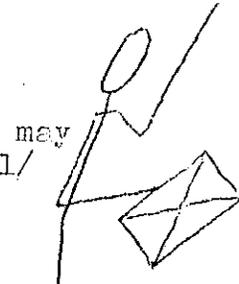


Most proposals are referred by the presiding officer to a committee for consideration and recommendation. The committee chairman then normally sets a date for a public hearing which is publicized in the weekly hearing bulletin. The hearing, held in one of a series of designated rooms in the capitol, offers the public a chance to appear for or against the proposal. Committee members listen to the statements and a report is made listing each person who appeared for and against the proposal and each person who registered for or against the proposal, but did not talk. Either on the same day or later

the committee determines in executive session what disposition of the proposal it will recommend. If the proposal is in the house of origin, the recommendation is for passage or indefinite postponement; if it is in the second house the recommendation is for concurrence or non-concurrence.

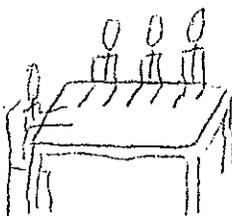
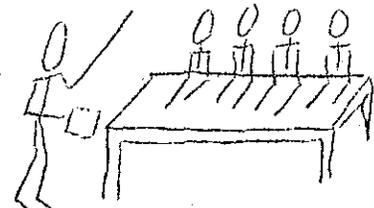
The Basic Steps in Enacting Legislation

As previously noted only a member of the legislature, a legislative committee or the council/ introduce legislation. At the proper time during each day's session an opportunity to introduce bills is provided.



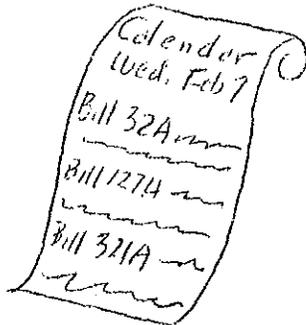
The presiding officer then assigns the proposal to a standing committee for consideration. Committee consideration is sometimes waived if necessity dictates prompt consideration of the matter.

The chairman of the committee then calls a public hearing to be held in the capitol, generally on Tuesday, Wednesday or Thursday afternoon. The list of hearings is posted on the bulletin boards and published in the bulletin of hearings.

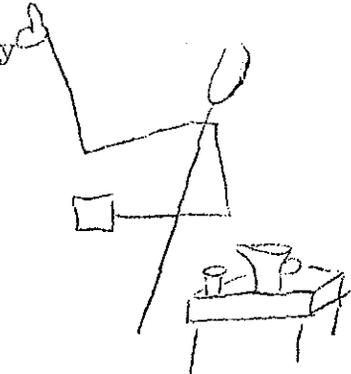


Following the public hearing the standing committee makes a recommendation as to the disposition of the proposal. These executive sessions may be held on the same day as the hearing or later. After the committee has agreed on a recommendation the bill is returned to the chief clerk with the recommendation.

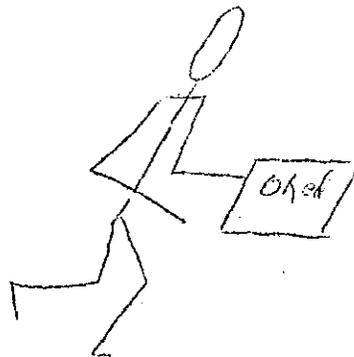
The chief clerk receives the proposal and it is referred to the calendar for the second legislative day thereafter.



On the day on which the bill is scheduled for consideration on the floor of the house, the bill appears on the calendar, and normally it is reached in order. It is at this stage that the bill is debated and that the amendments are introduced from the floor by any member. Prior amendments may have been introduced at any time by recalling the proposal to the floor of the house, introducing the amendment, and then returning it to the stage at which it was. At the conclusion of the debate, the house votes on the question of engrossment which means that the bill will be copied with all amendments adopted to that point. It can then no longer be amended.



The next stage of the bill is the debate prior to 3rd reading and passage. During this debate no amendments may be introduced. If the proposal survives this step it has completed its journey through the first house.



Normally the bill does not go to the second house until the next legislative day, but frequently by unanimous consent, suspension of the rules or majority vote, the proposal is sent to the other house at once.

The proposal normally passes through the same stages in the second house as in the first. In the closing days of the session, reference to a standing committee may be omitted.

If the proposal deals with state finances, it must be referred to the joint standing committee on finance. If it deals with pensions, it must be referred to the Joint Committee on Retirement Systems. Thus a proposal may be referred to 3 or 4 standing committees in the course of its consideration.

In the second house 3 basic actions can be taken:

1. The house may vote to concur which is to agree with the action of the first house.
2. The second house may vote to nonconcur which means that the measure is dead because the second house does not agree with the first house.
3. The second house may vote for concurrence with amendments. In this case the proposal goes back to the first house for their consideration of the amendment of the second house.

If the 2 houses cannot agree, a conference committee of 3 members from each house may be created to iron out the differences.

The bill must finally go back to the house of origin for enrollment which means that it is prepared in the form it was finally passed.

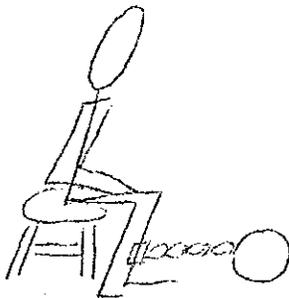
As a last step the proposal, if it is a bill, goes to the governor for consideration. There are 5 actions he may take:

1. He may sign it.
2. He may fail to sign it under which condition it becomes law after 6 days unless the session ends meanwhile.
3. If he fails to sign it, and less than 6 days remain in the session, the bill dies.
4. He may veto it.
5. If it is an appropriation measure, he may sign it, and veto specific items.

THE
LEGISLATOR
 AS AN
INDIVIDUAL

NO!
Do!
Don't!
Now!
Yes!
Answer!
Vote!
Write!

The Privileges and Immunities of
Wisconsin Legislators



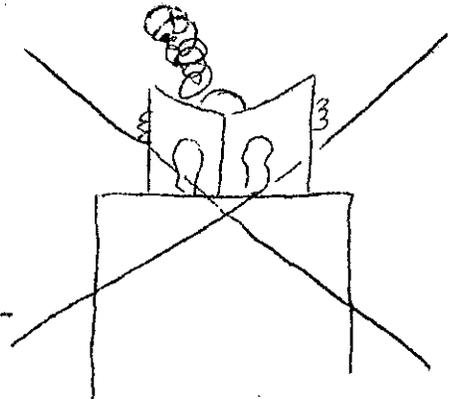
In these days the matter of legislative immunities receives considerable attention, and for that reason the privileges and immunities of a legislator in Wisconsin are enumerated. They are as follows:

1. Legislative Immunity. Article IV, section 16, of the Wisconsin constitution provides that "No member of the legislature shall be liable in any civil action, or criminal prosecution whatever, for words spoken in debate."
2. Freedom from Arrest or Civil Process. Article IV, section 15, of the Wisconsin constitution provides that "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."
3. Exemption from Jury Service. Section 255.02 of the statutes provides "The following persons shall be exempt from serving as jurors:

- (1) All officers of the United States; elective state officers; members and officers of the legislature during the session thereof; ..."
4. Continuation of Legal Actions or Proceedings. Section 256.13 of the statutes provides that "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."

The Conduct of the Members

One of the most perplexing problems of the new legislator is how to conduct himself during a session. The fear of violating the rules may cause the novice to refrain from participating in the debate on an issue of importance during the early days of the session. The following points may help to crystallize certain procedures in the Wisconsin legislature.



Recognition to speak. When a member wishes to speak, he stands at his seat and addresses the chair. In the senate he says "Mr. President"; in the assembly he says "Mr. Speaker". The rule is identical in both houses. (Senate rule 56, Assembly rule 66)

How is he recognized? The presiding officer will say "The Gentleman from the 20th", or "The Gentleman from the 3rd", etc. in the senate; or "The Gentleman from Brown County 2nd" from Green County, etc. in the assembly. (Note to Assembly rule 66)

When he may begin speaking? In both houses, he may begin speaking when recognized. (Senate rule 56; Assembly rule 66)

What if 2 members ask recognition at the same time? The rule in both houses is identical. The presiding officer names the person who is to speak first. (Senate rule 57; Assembly rule 67)

Restriction on speaking. Confining self to question. Both houses require that a member confine himself to the question. (Senate rule 56; Assembly rule 66) If he wanders away from the subject, a point of order may be raised by another member that he is not confining himself to the subject.

Restriction on speaking. Avoiding personalities. Both houses require that a speaker avoid personalities when addressing the house. (Senate rule 56; Assembly rule 66)

Restriction on speaking. Number of times. Both houses prohibit a member from speaking on the same question more than twice except by leave of the houses. (Senate rule 59, Assembly rule 69) The assembly rules provide that such leave may be obtained by unanimous consent or upon objection, by a majority vote. (Assembly rule 69) It is important

to note that the restriction is on the "same question" not on the same bill. Having spoken twice on the question of engrossment, he may speak again on the question of reconsideration.

Can another member interrupt? While neither house has a specific rule on interruption, both houses require that a member desiring to interrupt a member who is speaking, address the presiding officer. The presiding officer will then ask the member who has the floor if he will yield for a question. If the member who has the floor will not yield, the person asking for the floor cannot speak.

Interruption on point of order. If a member uses personalities, speaks disparagingly of the house, speaks more than twice on the same subject, reads from printed material, or does any one of a number of other things prohibited by rules, he may be called to order. Another member may rise to a point of order to question whether the member having the floor is within the rules, and the presiding officer may rule then or later on the matter. (Assembly rule 68)

Conduct while another member is speaking. Both houses prohibit a member from walking between the presiding officer and the member speaking. (Senate rule 9; Assembly rule 16)

Conduct while presiding officer is addressing the house or submitting a question. Both houses prohibit a member from crossing the floor or leaving the chambers under these conditions. (Senate rule 9; Assembly rule 16)

Must speak from place. Both houses require that a member must speak from his place. (Senate rule 50 Assembly rule 69)

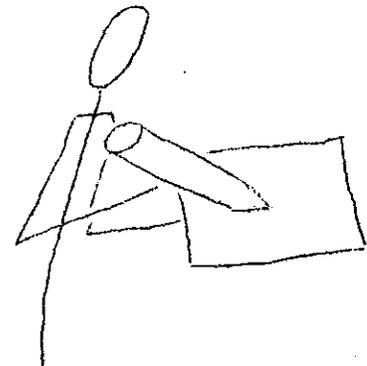
Smoking. Smoking is prohibited on the floor of the senate during sessions under rule 11 but the rule against smoking in the assembly was repealed by Resolution 3, A. in 1939.

Reading newspapers. This practice is prohibited under the same rule in the senate but there is no prohibition against it in the assembly. (Senate rule 11; Assembly rule 15 repealed in 1915)

Wearing coats. Although senate rule 1 prohibits wearing hats in the senate, there is no official statement in the rules regarding wearing of coats. It has long been the custom to wear coats, and in the senate it has been decided that it requires a suspension of the rules to permit removal of coats. (Senate rule 1) The assembly has no rule on this matter.

The Legislator and the Press

The report of what happens in the legislature is provided for the people back home by a group of capitol reporters who represent various individual papers and news services. The names of these men and women appear in the legislative directory and in the manuals of the 2 houses. About 10 days after the session begins the chief clerks get out a



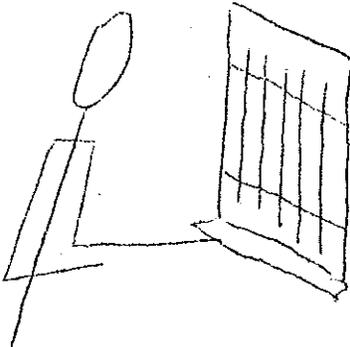
directory which lists the Madison addresses and telephone numbers, committee assignments of members and the names of newspapermen and their papers. Their pictures do not appear in the Blue Book or in any other official sources, but some of them have their pictures in their regular columns in the newspaper.

One way to identify them is to notice who frequents the press section of the 2 houses. In the senate, tables are reserved for them on the side of the chamber, to your right. In the assembly, the press occupy tables on either side of the rostrum. Normally different people cover each house for each paper or news service and the same person covers the whole session. Unlike the movie version of newspapermen, they do not wear press cards in their hats, nor do they normally rush out to the nearest telephone at the slightest provocation.

These people, men for the most part, make their living studying and reporting state government. They develop a prodigious fund of information. They have dealt with many government officials and employes and knew most of your predecessors. Many of them have had years of experience in covering the capitol beat, and are a valuable source of information and advice. Because they represent a variety of political beliefs and attitudes toward government, you cannot please all of them all of the time, but if all of them become consistently critical of you, it is probably time for you to take inventory.

The Legislator's Salary

Each member receives \$200 each month of his term or a total of \$2,400 a year. From this is deducted the withholding tax and retirement deduction. Each month the payroll is prepared by the clerical staff of each house, and the checks are either handed to the members or sent to them as directed. Each member also receives mileage to and from Madison once a week during the session, and mileage and actual expenses for various committee work done during the interim period.



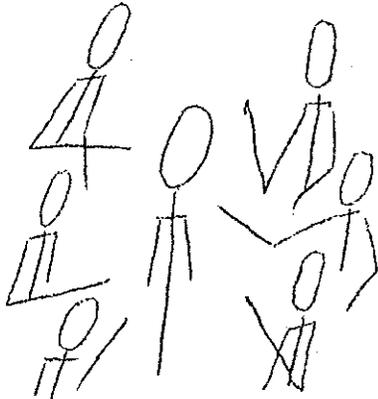
Hours of Meeting

The rules of both houses provide that they shall meet at 10 a.m. unless a different hour is set. Normally, both houses meet Tuesday, Wednesday and Thursday with a skeleton session on Friday to avoid the constitutional provision that neither house shall adjourn for more than 3 days without the consent of the other house. Sessions normally last 2 or 3 hours, and generally adjourn in time so members may have lunch before the committees meet at 2 p.m. In earlier sessions night meetings were frequent, but in recent years night meetings have been very rare. During the last week of the session both houses extend their hours of work considerably



It is not correct, however, to assume that the hours of meeting represent the full complement of hours of work. The conscientious legislator who seeks to inform himself of the problems and to serve his constituents will find that he spends many hours a day at his work in addition to the meeting hours.

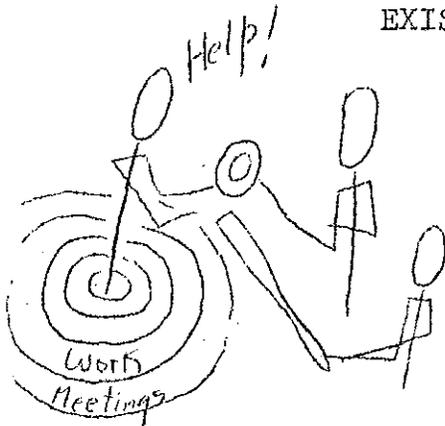
The Member's Constituents



As an elective official each member is responsible to his constituents who theoretically number about 35,000 if he is an assemblyman and about 100,000 if he is a senator. He may be deluged with mail; his telephone may ring from morning till night; he may not be able to walk a block without being stopped by a constituent. He may find that each time he returns to Madison, he has a pocketful of errands to run for other people, inquiries to

make about problems of his people and facts to discover about rumors and misinformation his constituents have uncovered. He will find himself accumulating a mass of unrelated facts about state government if he is at all responsive to those who elected him. The degree of contact maintained with the folks back home varies. Some members make it a rule to reply to every letter. Others inform at least part of their constituents through news releases how they stand on various matters. Each member is allotted stationery. Stenographic help to prepare letters is available during the session. The assembly provides cards replying to constituents who urge certain action on legislation.

THE
LEGISLATIVE AGENCIES
EXISTING TO HELP
THE LEGISLATORS

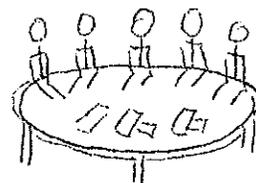


Over the years a series of agencies have been created to help the legislators in their work. Wisconsin, under the dynamic leadership of Dr. Charles McCarthy, was a leader in this development. Today, many of the services taken for granted by the legislators of Wisconsin are a hope and aspiration in other states. We had the first automatic voting machine for the assembly, the first functioning legislative reference library, one of the first bill drafting units, the first

permanent, full-time revisor of statutes. These agencies, created to help you, are described in the following pages.

The Joint Legislative Council

Prior to 1947 the Wisconsin legislature normally created one or more interim committees each session to study specific problems during the 18 months when the legislature was not in session. Many of these



committees made substantial contributions to the knowledge of state government, but others proceeded in a rather perfunctory manner. In recent years the number of such committees fluctuated substantially.

1929	.....	15	1939	.....	3
1931	.....	13	1941	.....	0
1933	.....	16	1943	.....	8
1935	.....	10	1945	.....	10
1937	.....	7	1947	.....	4

One of the major weaknesses of this program was the lack of continuity provided by such a procedure. Unless the committee was continued by an overt act of the next legislature, the problem was forgotten after the report was made and the proposed legislation considered. In addition, most of the interim committees lacked well-trained staff. The temporary nature of the job deterred many capable research workers from applying. Finally the existence of a group of independent interim committees prevented a co-ordinated and successful program. There was no one to check on the committees and to urge them to complete their assignments.

In 1947 Wisconsin followed the example of an increasing number of states in establishing the Joint Legislative Council. Originally composed of 12 members of the legislature, in 1949 the statutes were amended to increase the membership to 6 senators and 9 assemblymen, with at least one from each congressional district. The membership is bipartisan. The senate members are selected by the Committee on Committees and the assembly members by the speaker of the assembly. The president pro tem of the senate and the speaker of the assembly are always members. The staff of the Council includes an executive secretary and research and clerical employes.

The Council is authorized by statute to:

1. Make studies and surveys on any question referred to it which in its judgment will be beneficial to the general welfare of our state.
2. Recommend legislation or administrative action, including the introduction of bills.
3. Require administrative departments or agencies to submit recommendations for legislation to it for consideration at least 90 days before the session.

Council members receive no compensation for this service, but are reimbursed for their actual and necessary expenditures.

To carry out the functions of the Council, a number of committees are selected by the Council. These committees are composed of members of the Council, other legislators and laymen.

The committees operate in several ways. Some of them consider all the problems confronting them as a group. Others are divided into subcommittees, each of which deals with specific problems. Still others add advisory committees of professional and technical experts to counsel with them but to take no part in decision making.

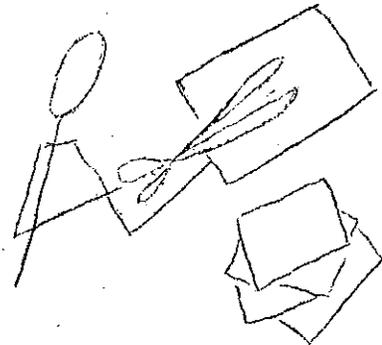
Two specific types of studies are conducted by the Council. The first type is initiated by the Council as a result of suggestion by its membership, by citizens or by individual legislators. The second type is initiated at the request of the legislature either through the enactment of a law or the approval of a joint resolution.

The Council meets about once a month, especially after its program has gotten under way. The committees vary in the frequency with which they meet, but generally meet about once a month. Most meetings are held in Madison, but some committees have met at other points in the state to permit citizens to appear before them more easily.

Just prior to the session, the Council prepares a comprehensive report of the activities of its committees and their recommendations for legislative actions. This document is a valuable source of information to the legislator regarding the background material necessary for an understanding of the legislation proposed by the Council.

Revisor of Statutes

Before 1911 the Wisconsin statutes were officially revised at intervals, but revised statutes were published in 1849, 1858, 1878 and 1898. To find the current law it was necessary to consult the latest revised statutes and each of the volumes of session laws enacted since the latest revision. That cumbersome and unsatisfactory method is still in use in most states. It was discarded in Wisconsin by Chapter 546, Laws of 1909, which put into effect the present system of continuous revision and biennial publication of Wisconsin statutes and created the office of Revisor of Statutes.



The revisor is appointed by the trustees of the State Law Library, a group composed of the 7 justices of the Supreme Court and the attorney general. His staff is located in Room 321 northeast in the capitol.

This small staff carries out some very important functions with very little publicity. As acts are passed by the legislature, they are prepared for inclusion in the statutes, so that the new volume may be published soon after the session is over. Minor errors are corrected at this time, under authority given the revisor by the legislature. Errors which cannot be corrected without legislative action are included in correction bills introduced late in the session or during the next session. Indexes to the statutes and session laws and tables showing the effects of legislative action are also prepared.

The revisor's main function is carrying out his responsibilities for the plan of the statutes and their reduction to smallest possible bulk. He studies the sections constantly to remove duplication, to clarify language, and to eliminate obsolete material. He works with legislative committees and state officers when they prepare new laws which involve rewriting whole chapters or titles of the statutes. It is this constant revision process which is responsible for the comparatively small bulk of the Wisconsin statutes.

The official annotations to the statutes--the legislative history of each section, and notes of court decisions and attorney generals' opinions construing it--are prepared by the revisor. Periodically these notes are printed in a separate volume; a new edition of "Wisconsin Annotations" was issued in 1950. Until another edition is prepared, each volume of the statutes will include all of the cumulative annotations since the 1950 Annotations volume.

The revisor also is a member of the Judicial Council which recommends rules of court procedure to the Supreme Court, and is one of the state's Commissioners on Uniform State Laws.



The Legislative Reference Library

Organized 56 years ago in 1901, the Legislative Reference Library has developed a national reputation for impartial service to the legislators.

The library provides 3 services to the legislators. It secures, catalogs and maintains a working library of approximately 80,000 books, pamphlets and miscellaneous materials and about 100,000 mounted clippings on a vast number of subjects closely related to the problems of government. These materials are so organized as to make it possible to find some information

on any subject of interest to a legislator in a matter of minutes. The process of acquiring materials and of deleting the obsolete materials is continuous.

Using these materials the library prepares many studies during a year in reply to requests for materials. Other requests are handled verbally or by telephone. Many of the requests require only a few minutes work. Typical questions of this nature are: Did the legislature enact any legislation dealing with lobbying in 1949; How many legislators are farmers; and What was the vote on 492, A. in the senate? Other questions require a good deal of research and study.

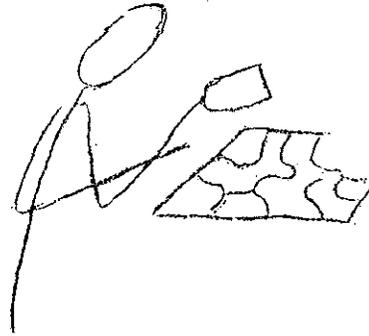
Many files and indices are maintained by the Legislative Reference Library to facilitate the ready search for answers. Most of the emphasis is on recent materials not generally circulated. One person is employed full time to extract and mount clippings from current newspapers. The value of this simple process has been demonstrated time and time again when the clipping file has provided information which is not provided in any document or book.

The third function of the Legislative Reference Library is to provide the service of a staff of bill draftsmen to aid the legislators in preparing legislation. This service is discussed separately.

In order to serve the legislators best, the library gears its hours to the needs of the lawmakers. During the session the library is open from 7:45 a.m. to 5:30 p.m. Librarians, research workers, bill draftsmen and clerks are on duty to help the legislators at this time.

The Bill Drafting Process

Although any member of the legislature may prepare a bill himself or introduce a bill prepared by someone else, this is not the normal practice in Wisconsin. The rules regarding the form and language of bills are very well defined in this state, and bills which do not meet these standards must be corrected before they get any consideration.



All bills introduced into the legislature to establish general law either amend or repeal existing statutes or create new sections or subsections. To make sure that all sections affected by a bill are considered is a technical task requiring skilled legal draftsmen.

For these reasons the overwhelming proportion of the bills introduced into the Wisconsin legislature are either drafted or checked by the bill draftsmen of the Legislative Reference Library. This service is free to every legislator. It is completely confidential and no information regarding what is proposed or who proposed it is divulged by the Legislative Reference Library until after the bill is introduced or the session has ended.

The process is simple. The legislator submits his request either verbally or in writing to either the Chief of the Legislative Reference Library or a draftsman. As much detail as possible is desired. After the bill is drafted, a copy is provided the legislator for his approval. If he desires changes, new drafts are prepared until he is satisfied. When the bill is finally approved by the legislator, the necessary documents are prepared for introduction. All these materials are placed in a large envelope called a bill jacket. This is turned over to the legislator and he presents it to the chief clerk under the proper order of business for the introduction of bills.

The bill drafting service is located on the second floor north in the Legislative Reference Library.

The Staff of the Senate and Assembly

To facilitate the work of the legislature a substantial number of clerical employes are selected under the merit system by the chief clerk and sergeant at arms of both the assembly and senate. Several of these people are regularly employed in other positions in state departments during the interim period. Others are part-time employes, frequently University students.

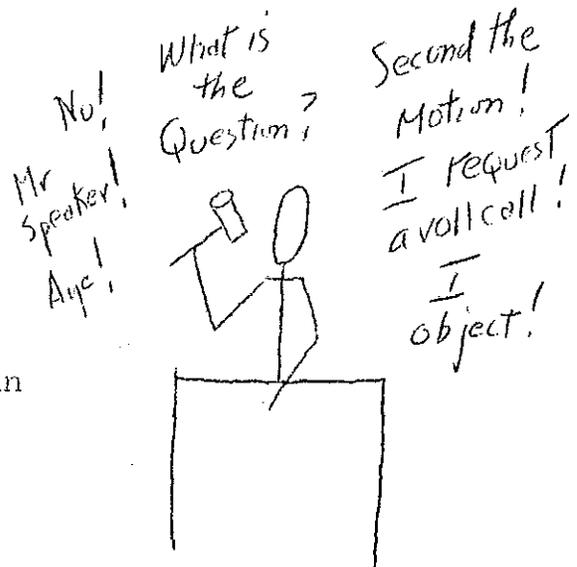
The clerical employes selected by the chief clerk consist of 2 types. There are some who work directly under the chief clerk in connection with bill revision, typing engrossed bills, keeping the records of the session, etc. At the chief clerk's desk in each house, employes keep records of actions in the house, maintain the voting records, etc. In the assembly one man at the desk operates the voting machine. The mailing room which assembles bills and other documents for distribution is also under the chief clerk.

Other clerical employes (stenographers) are assigned as committee clerks. They normally serve one or two committees depending on the workload. They keep the records, act as secretary for hearings and executive sessions, and prepare correspondence for committee members. These stenographers, as far as possible, should be used by committee members to prepare their correspondence. Members may, however, use the extra stenographers in the chief clerk's office.

Employes of the sergeant at arms office handle the document room where copies of bills, resolutions and other official documents are maintained for distribution. Other employes act as messengers who run errands for the legislators, keep the members' bill files and other records up to date, call them into the chambers when a call of the house is asked, arrange committee rooms for hearings, act as messengers for the committees at hearings, guard the door of committee rooms during executive sessions, and act as a police force in keeping order in corridors and galleries during sessions of the legislature. The sergeant at arms also has jurisdiction over a night janitor force to maintain the chambers and committee rooms. A night watchman for each house also comes under this group. One person for each house is selected by the sergeant at arms to operate the legislative post office.

Both the chief clerk and the sergeant at arms maintain offices adjoining the legislative chambers.

HYPOTHETICAL
PROBLEMS OF
PARLIAMENTARY
PROCEDURE
AND THEIR
SOLUTION



Legislative procedure in Wisconsin is based upon provisions of the constitution, statutes, rules, joint rules and precedents. The constitution, in Article IV, section 20, for example, requires that the yea and nay vote shall be recorded in the journal at the request of one-sixth of the members present. The statutes, for example, in section 13.06 state that all bills providing for an appropriation shall be referred to Committee on Finance before passage. Both houses adopt and publish rules, and the 2 houses have joint rules. Finally over the years a series of decisions by the presiding officers of the houses have developed as precedents to interpret the rules.

In order to acquaint the new legislators with some of the basic procedures which are followed in the legislature this series of hypothetical situations are presented in form of problems. It is hoped that they will form the basis of a discussion of the rules. After each problem, the approved answers are given for reference.

Problem 1. When you are home after the first week of the session, Mr. X comes to you with a request that you introduce a bill for him concerning a subject about which he seems to be an expert but about which you know nothing. He has a complete draft with him. What could you do?

Ans. You can accept the draft and introduce it. If you wish, you may introduce it at Mr. X's request. (See Jt. Res. 5, A., 1915) You should have it checked by the draftsmen of the Legislative Reference Library.

Problem 2. Suppose that Mr. X has an idea for a draft, but nothing written out, what could you do?

Ans. If he will put his thoughts on paper, you can have the Legislative Reference Library draft the bill. You can also authorize the Library to draft it at your request for Mr. X.

Problem 3. Mrs. Y and 2 of her associates come to you on April 4th with the request that you introduce a bill for them. How could you proceed to get it introduced?

Ans. The deadline for introduction of bills by members is the end of the fifth week of the session (Jt. rule 18). Therefore it can be introduced only by suspension of rules or approval of the Committee on Legislative Procedure of the senate (Rule 34), or the Committee on Rules of the assembly (Rule 47). See further discussion on introduction of bills on pages 13 and 14 of this manual.

Problem 4. A member of your house comes to you and asks if you wish to have your name as a coauthor on a bill he is introducing. Can you do that?

Ans. Yes, you may do it, but you had better look it over before agreeing to do it. On the other hand, if you wish to have your name on the bill and the original author is opposed, your name will not appear on it; nor can you add names without express permission of the person named.

Problem 5. You introduce a bill and the presiding officer refers it to Committee X. You would rather have it referred to Committee Y. Is there anything you can do about it?

Ans. Yes, by unanimous consent you can get the bill withdrawn from Committee X and referred to Committee Y. If this fails, you can move that the bill be withdrawn from Committee X and sent to Committee Y. The presiding officer refers the bill in the first instance. (Senate rule 41; Assembly rule 51)

Problem 6. The house is on the 9th order of business on the last legislative day of the week and you wish to get a bill introduced that day for a constituent you will meet over the week end. How can you get it introduced?

Ans. Bills are introduced under the 5th order of business in the senate (Senate rule 18) and the 7th order in the assembly (Assembly rule 20). You wish to get back to the proper order of business or to get unanimous consent to introduce the bill which has the effect of suspending the rules. You can also move that the rules be suspended to introduce a bill.

Problem 7. After you have introduced a bill, you discover that a bill which accomplished the same purpose has been introduced in the other house by the Legislative Council. Can you withdraw your bill?

Ans. Yes. The normal procedure is to ask unanimous consent to withdraw the bill and return it to the author under the order of business known as motions introduced.

Problem 8. You disagree with the decision of a majority of the committee of which you are a member on their recommendation regarding the bill. Is there any way in which you can indicate your disagreement?

Ans. Yes. Senate rule 28 and Assembly rule 33, identical in nature, permit a member to make a separate report stating his own reasons and conclusions, and this report shall be entered at length on the journal and is called a minority report.

Problem 9. At the same time that a committee of which you are a member is meeting, a bill in which you are interested is coming up before another committee. How can you appear on the other bill?

Ans. The chairman will excuse you to attend the other hearing. It is well to ask the committee before which you plan to appear to schedule the bill on which you are to appear first or to call you when it comes up so you are away from your committee the shortest possible time. You can also get a page to notify you when the bill comes up.

Problem 10. A bill of which you are the author is up for public hearing. Should you appear on the bill?

Ans. Probably, yes, because if you do not have enough interest to appear, it is unlikely that others will explain the bill and appear for it.

Problem 11. A bill in which you are interested but not the author is coming up for public hearing. Should you appear on the bill at the hearing?

Ans. There is some difference of opinion on this although there is no rule against it. Some people feel that public hearings are for the public, and that legislators can make their arguments on the floor of the legislature. Others feel the committee should have the benefit of legislators' arguments.

Problem 12. You introduce a bill which is referred to committee. After the public hearing the committee decides that while the idea is good, the bill needs to be rewritten. What form would the rewrite take and how would you get it introduced?

Ans. This would probably be done through a substitute amendment which would replace the bill. It would probably most logically be prepared at the committee's request and reported out by them, although it would also be possible for the author to withdraw the bill from committee, introduce a substitute amendment and have it recommitted to the committee.

Problem 13. Although the committee has never taken action on a particular bill, you find that the bill has been reported out with the recommendation that it be indefinitely postponed. Can this be done under the rules?

Ans. No. Both houses require (Senate rule 27; Assembly rule 32) that the chairman report on the action of the committee in precise form, and the form is spelled out.

Problem 14. Various amendments to a bill have been proposed to the committee which has the bill under consideration. What action must the committee take on these amendments?

Ans. This is one of the few cases where the rules of the 2 houses differ. In the senate all amendments are reported back by the committee (Senate rule 54) but in the assembly only those on which the committee acts favorably are reported back (Assembly rule 62). In the latter case, a member may revive an unreported amendment on the floor.

Problem 15. Your bill was referred to Committee X, but nothing happens for 4 weeks. What can you do to get action by the committee?

Ans. Both houses have rules (Senate rule 25, Assembly rule 27) which require that business be expedited by the committees, but this rule has never been enforced. Efforts to recall the bill may be made, first by a majority vote, and if that fails, by unanimous consent or suspension of the rules. Persuasion is the only other device. But at the end of session all bills are reported out for final action.

Problem 16. You desire that your constituents who must travel some distance to appear for a bill do not have to come twice to appear before both a senate and assembly committee. What can be done to eliminate the necessity of holding 2 hearings?

Ans. Jt. rule 4 provides for joint hearings held upon agreement of the 2 chairmen. Occasionally only one house holds a hearing.

Problem 17. You introduce a bill providing that members of certain boards now getting \$8 per diem get \$9. When the bill comes up for consideration on the floor an amendment is offered providing that the compensation be \$10 and expenses. This amendment is in turn amended to change the wording to "\$10 and actual and necessary expenses". This in turn amended to change the \$10 to "not more than \$10". How long can this process continue?

Ans. Amendments in the third degree are out. (Senate rule 51; Assembly Manual §283) while an amendment to an amendment to an amendment is out, an amendment to an amendment to a substitute amendment is all right because the substitute is assumed to be the bill.

Problem 18. Suppose that in Problem 17 above each amendment had amended the original bill, how long could it continue?

Ans. Ad infinitum. There is no limit to the number so long as they conform to other requirements.

Problem 19. In the course of the debate on your bill you sense that the opposition is getting the better of the argument and that you need more time to muster your forces. What could you do?

Ans. You can move to adjourn, move to table, move to commit to a committee, move to place on calendar for special order of business on a day named.

Problem 20. Your bill which is up for engrossment and third reading receives a favorable vote. Immediately thereafter you note that there is an inconsistency in the bill which needs to be changed. How can it be done after the amending stage has been passed?

Ans. It could be done by unanimous consent, suspension of the rules or by a motion to return the bill to the amendable stage.

Problem 21. On the vote to engross and order to a third reading your bill loses by 2 votes. How can you get another vote?

Ans. If a member voting with the majority will request reconsideration of the vote by which defeated on the next legislative day, you can get a vote on reconsideration and if that passes, a vote on the bill again.

Problem 22. Having spoken twice for your bill which is up for engrossment and third reading, you wish to clear up a point which is confusing the members. How can you get permission to speak a third time?

Ans. You can request unanimous consent to speak to clear up a point.

Problem 23. You speak twice during the debate on your bill prior to the vote on engrossment and third reading, and the bill is now up for third reading by unanimous consent. Although this has all happened within 5 minutes, can you speak again at this point?

Ans. Yes. This is a new question, and the rule starts over.

Problem 24. When the bill is up for third reading, a motion is made to postpone indefinitely. You speak twice on this question. It is defeated, and a motion to pass is made. May you speak again?

Ans. Yes. It is a new question.

Problem 25. You are opposed to a bill under consideration and as the arguments continue you desire to stop the debate and get at the vote to kill. How can you get a vote on such a question?

Ans. Rarely, if ever, is the previous question used, but it will stop the debate.

Problem 26. On the day that your bill will probably come up for final vote you are ordered to go to Milwaukee to take a physical examination prior to recall to active duty in the armed forces. What can you do to give effect to your vote for the bill?

Ans. You can pair your vote with another member who will vote on the other side. (See Senate rule 74 and Assembly rule 83)

Problem 26a. What are various dispositions which can be made of a bill in the first house?

Ans. It can be passed, a substitute amendment can be passed, it can be indefinitely postponed, withdrawn, laid on the table, rereferred to committee. There are other dispositions.

Problem 26b. What are the various dispositions which can be made in the second house?

Ans. They may concur, concur as amended or nonconcur.

Problem 27. When your bill finally comes up for a vote, the house is acting on bills very rapidly and by a voice vote. You desire to have each member's vote recorded. How can you get this done?

Ans. By requesting a roll call which Article IV, section 20, of the constitution is required at the request of one-sixth of those present.

Problem 28. You wish to stop discussion for the time being on a measure which is consuming a lot of time. How can it be done without killing the measure?

Ans. Senate rule 65 and Assembly rule 77 both state that the motion to lay on the table shall have the effect of disposing of the matter temporarily only.

Problem 29. You do not desire to vote on a measure on which a roll call has been ordered. How can you duck the vote?

Ans. Both houses require that members vote (Senate rule 73, Assembly rule 82) but as a practical matter except on a call of the house, the vote can be avoided by leaving the chamber.

Problem 30. You feel that section 118 of the 250-section budget bill is inadequate and you desire to have the house vote on that section separately, yet the rules (A. rule 74) prohibit a division on a bill or substitute amendment. How could you get a vote on this section alone?

Ans. By introducing an amendment to the budget bill.

Problem 31. A bill, having been passed by the assembly is sent to the senate where it is amended and concurred in as amended. What action must the assembly take to pass the bill when it is returned from the senate?

Ans. When the bill returns to the assembly, the sole issue is the senate amendment. If the assembly concurs in this amendment, the bill passes. If the assembly does not agree to the amendment, a conference committee may be created to get agreement.

Problem 32. What is the difference between engrossment and enrollment?

Ans. Engrossment is the process of assembling a bill as passed by the house of origin. Enrollment is the process of assembling a bill as passed by both houses. Both these processes entail adding amendments which were adopted.

Problem 33. What is the difference between revision of a bill and a revision bill, or a revisor's bill?

Ans. Revision of a bill is the process of making it conform to the form approved before introduction. A revision bill is one which reorganizes a section, group of sections or one or more chapters with the view to improving organization without affecting content. A revisor's bill is a correction bill which is submitted to iron out conflicts in the statutes. One or more are usually introduced near the beginning and end of each session.

Problem 34. Suppose the assembly refuses to recede from its position and will not accept a senate amendment to a bill originating in the assembly. What action can be taken?

Ans. A conference committee may be created (Jt. rule 2).

Problem 35. The bill having passed both houses is now before the Governor, who with a month of the session remaining, vetoes the bill. What can be done to enact the bill?

Ans. The legislature may seek to pass the bill over the veto. This requires a two-thirds majority in each house.

Problem 36. The mayor of your city asks you to introduce a bill to amend the city charter to permit them to have 3 aldermen from each ward. Can you do it?

Ans. This type of legislation is not permitted. It would be necessary to amend the general law on cities to permit cities to have 3 aldermen per ward.

Problem 37. Mr. C, a member of your house, proceeds to make a long speech in which he reads from documents, criticizes member by name, discusses everything from Adam and Eve to the Atomic Age. Can he be stopped? How?

Ans. A member may rise to point of order, interrupting the speaker, to point out that he is not in order. The chair will then rule on the point of order. If the chair rules that the point of order was well taken, the speaker must stop. If he rules the other way, the speaker may continue. If a member does not agree with the decision of the chair, he may appeal, and if on the question "Shall the decision of the chair stand" a majority vote for, the decision holds.

Problem 38. Upon the point of order being raised, the presiding officer rules that an amendment you proposed is not germane. What does he mean?

Ans. Your amendment does not refer to the same subject, enlarges the scope of the bill, repeals instead of amends, or otherwise does not relate to the bill. (See precedents under Senate rule 50 and Assembly rule 63)