

Legislative Branch

The legislative branch: profile of the legislative branch, description of the legislative process, summary of 2003-04 legislation, and description of legislative committees and service agencies

Grant County Courthouse



Kathleen Sitter, LRB

OFFICERS OF THE 2005 LEGISLATURE

SENATE

President Senator Alan J. Lasee
 President pro tempore Senator David A. Zien
 Chief clerk Honorable Robert J. Marchant
 Sergeant at arms Honorable Edward Blazel

Majority Party Officers

Minority Party Officers

Leader	Senator Dale W. Schultz	Senator Judith Biros Robson
Assistant leader	Senator Neal J. Kedzie	Senator Dave Hansen
Caucus chairperson	Senator Ron Brown	Senator Jeffrey T. Plale
Caucus vice chairperson .	Senator Cathy Stepp	Senator Mark Miller
Caucus sergeant at arms	Senator Sheila E. Harsdorf	None

Chief Clerk: Mailing Address: P.O. Box 7882, Madison 53707-7882; Location: 17 West Main Street, Suite 401; Telephone: (608) 266-2517.

Sergeant at Arms: Mailing Address: P.O. Box 7882, Madison 53707-7882; Location: B35 South, State Capitol; Telephone: (608) 266-1801.

ASSEMBLY

Speaker Representative John G. Gard
 Speaker pro tempore Representative Stephen J. Freese
 Chief clerk Honorable Patrick E. Fuller
 Sergeant at arms Honorable Richard A. Skindrud

Majority Party Officers

Minority Party Officers

Leader	Representative Michael D. Huebsch	Representative James E. Kreuser
Assistant leader	Representative Jeff Fitzgerald	Representative Jon Richards
Caucus chairperson	Representative Daniel P. Vrakas	Representative Robert L. Turner
Caucus vice chairperson .	Representative Mark Gottlieb	Representative Gary E. Sherman
Caucus secretary	Representative Carol Owens	Representative Amy Sue Vruwink
Caucus sergeant at arms .	Representative Jerry Petrowski	Representative Jennifer Shilling

Chief Clerk: Mailing Address: P.O. Box 8952, Madison 53708-8952; Location: 17 West Main Street, Suite 208; Telephone: (608) 266-1501.

Sergeant at Arms: Mailing Address: P.O. Box 8952, Madison 53708-8952; Location: 411 West, State Capitol; Telephone: (608) 267-9808.

LEGISLATIVE HOTLINE: Monday-Friday, 8:15 a.m.-4:45 p.m.; Telephone: Madison Area: 266-9960; Outside Madison Area: (800) 362-9472; TTY: (800) 228-2115.

LEGISLATIVE INTERNET ADDRESS: <http://www.legis.state.wi.us>

LEGISLATIVE BRANCH

A PROFILE OF THE LEGISLATIVE BRANCH

The legislative branch consists of the bicameral Wisconsin Legislature, made up of the senate with 33 members and the assembly with 99 members, together with the service agencies created by the legislature and the staff employed by each house. The legislature's main responsibility is to make policy by enacting state laws. Its service agencies assist it by performing fiscal analysis, research, bill drafting, auditing, statute editing, and information technology functions.

A new legislature is sworn into office in January of each odd-numbered year, and it meets in continuous biennial session until its successor is sworn in. The 2005 Legislature is the 97th Wisconsin Legislature. It convened on January 3, 2005, and will continue until January 3, 2007.

U.S. and Wisconsin Constitutions Grant Broad Legislative Powers. The power to determine the state's policies and programs lies primarily in the legislative branch of state government. According to the Wisconsin Constitution: "The legislative power shall be vested in a senate and assembly." This power is quite extensive, but certain limitations are imposed by the U.S. Constitution and the Wisconsin Constitution. In addition, the legislature's power is restricted by the governor's authority to veto legislation, but a veto may be overridden by a two-thirds vote in both houses of the legislature.

All actions taken by the legislature must conform with the U.S. Constitution. For example, the U.S. Congress has exclusive powers to regulate foreign affairs and coin money, and states are denied the power to make treaties with foreign countries. In addition, state legislation may not abridge the rights guaranteed in the U.S. Bill of Rights. Powers that are not granted exclusively to the U.S. Congress or denied the states are considered to be reserved for the individual states.

In addition to the boundaries set by the U.S. Constitution, the legislature's authority is also limited by the state constitution. For instance, the Wisconsin Constitution requires the legislature to establish as uniform a system of town government as practicable, prevents it from enacting private or special laws on certain subjects, and prohibits laws that would infringe on the rights of Wisconsin citizens, as protected by the Declaration of Rights of the Wisconsin Constitution.

Biennial Sessions: 4-Year Senate Terms; 2-Year Assembly Terms. Originally, members of the assembly served for one year, while senators served for 2 years. An 1881 constitutional amendment doubled the respective terms to the current 2 and 4 years and converted the legislature from annual to biennial sessions.

Since its adoption on March 13, 1848, the Wisconsin Constitution has provided that the membership of the assembly shall be not less than 54 nor more than 100, and the membership of the senate shall consist of not more than one-third nor less than one-fourth of the number of assembly members. The first legislature had 85 members – 19 senators and 66 assemblymen. (Assembly members were renamed "representatives to the assembly" in 1969.) The number increased several times until the legislature became a 133-member body in 1862, with the constitutionally permitted maximums of 33 in the senate and 100 in the assembly. Over a century later, membership dropped to 132 in the 1973 Legislature, when the number of representatives was reduced to 99 so that each of the 33 senate districts would encompass 3 assembly districts. This is the current number and structure.

THE WISCONSIN LEGISLATURE

Number of Positions 2005 Legislature: Senate: 33 members, 219 employees; Assembly: 99 members, 329 employees.

Total Budget 2003-05: \$124,948,100 (including service agencies).

Constitutional Reference: Article IV.

Statutory Reference: Chapter 13, Subchapter I.

Election of Legislators. All members of the legislature are elected from single-member districts. At the general election on the first Tuesday after the first Monday in November of even-numbered years, the voters of Wisconsin elect all members of the assembly and approximately one-half of the senators. These legislators-elect assume office in January of the following odd-numbered year when they convene to open the new legislative session at the State Capitol, together with the “holdover” senators who still have 2 years remaining of their 4-year terms. When a midterm vacancy occurs in any legislative office, it is filled through a special election called by the governor.

The 33 senators are elected for 4-year terms from districts numbered 1 through 33. The 16 senators representing even-numbered districts are elected in the years in which a presidential election occurs. The 17 senators who represent odd-numbered districts are elected in the years in which a gubernatorial election is held.

Since statehood in 1848, the Wisconsin Constitution has required the legislature, after each U.S. decennial census, to redraw the districts for both houses “according to the number of inhabitants”. Thus, Wisconsin was following this practice long before the U.S. Supreme Court decided in 1962 that all states must redistrict according to the “one person, one vote” principle.

Under the campaign finance reporting law enacted by the 1973 Legislature, candidates for the legislature, as well as for other public offices, are required to make full, detailed disclosure of their campaign contributions and expenditures to the Elections Board, which was created by the same law. Limits are placed on the amounts of contributions received from individuals and various committees. State law also requires legislators and candidates for legislative office to file a statement of their economic interests with the state Ethics Board. A 1977 law authorized candidates for legislative office and statewide executive and judicial offices to receive public campaign funding from state revenues, funded by a \$1 check-off on state individual income tax returns.

Political Parties in the Legislative Process. Partisan political organizations play an important role in the Wisconsin legislative process. Since 1949, virtually all legislators have been affiliated with either the Democratic Party or the Republican Party. The strongest representation of other parties was between 1911 and 1937, when there were one or more Socialists in the legislature, and between 1933 and 1947, when the Progressives maintained an independent party. In fact, in 1937 the Progressive Party had a plurality in both houses.

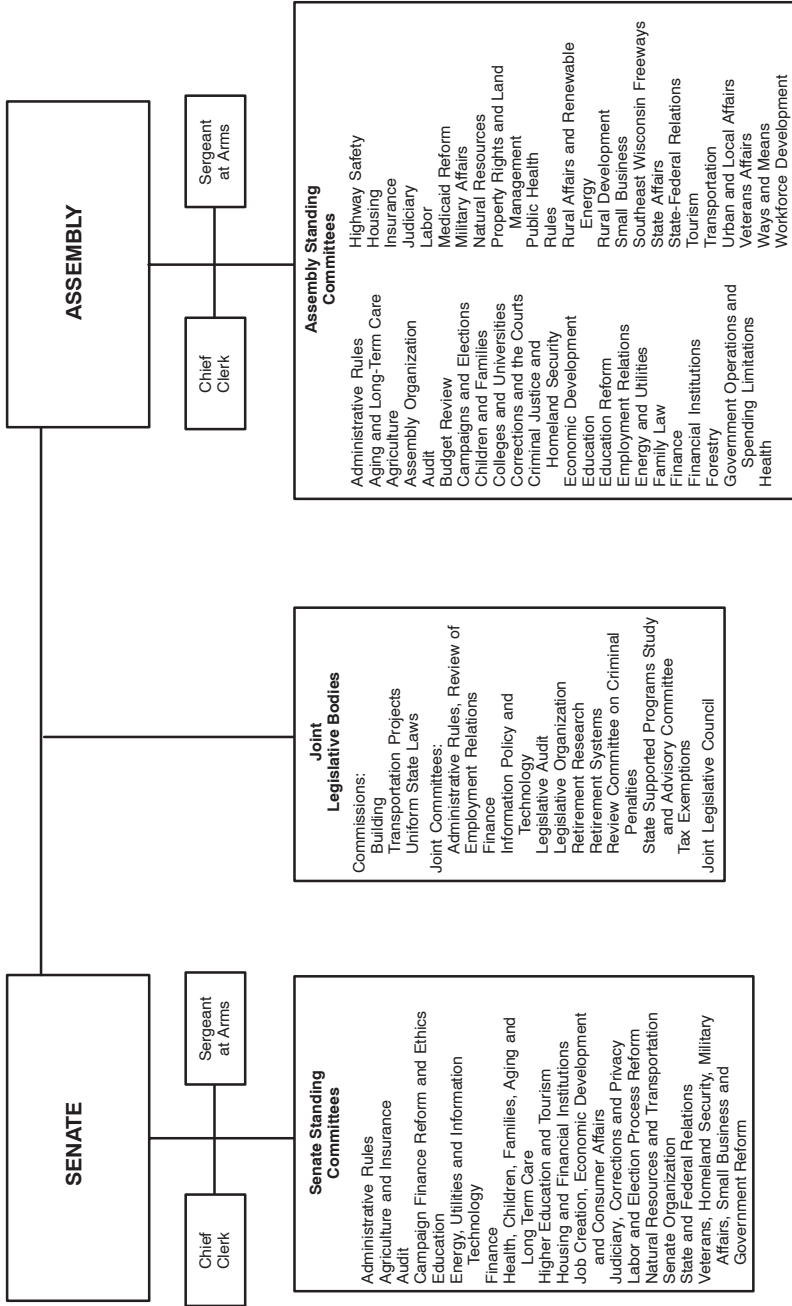
Party organization in the legislature is based on the party group called the “caucus”. In each house, all members of a particular political party form that party’s caucus. Thus, there are four caucuses related to the party divisions in the two houses. The primary purpose of a caucus is to help party members maintain a unified position on critical issues. Party leaders, however, do not expect to secure party uniformity on every measure under consideration.

Caucus meetings may be held at regular intervals or whenever convened by party leaders, and occasionally the senate and assembly caucuses of the same party meet in joint caucus. A caucus meeting is scheduled shortly after the general election and before the opening of the session to select candidates for the various leadership positions in each house. Although each party caucus nominates a slate of officers, the positions are usually won by the nominees of the majority party when a vote is taken in the full house.

Legislative Officers and Leadership. The Wisconsin Constitution originally required the lieutenant governor to serve as president of the senate. As a result of an April 1979 constitutional amendment, the senate now selects its own president from among its members. When the president of the senate is absent or unable to preside, the president pro tempore, elected from the membership, may preside as substitute president.

The presiding officer of the assembly is the speaker, who is elected by majority vote of the assembly membership. The speaker supervises all other officers of the chamber and appoints

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committees. When the speaker is absent or unable to preside, the speaker pro tempore, who is also elected from the membership, may substitute.

Each party in each house elects floor leaders, respectively known as the majority leader and assistant majority leader and the minority leader and assistant minority leader. To varying degrees, these party officers play powerful roles in directing and coordinating legislative activities.

Each house has a chief clerk and a sergeant at arms, who are elected by, but are not themselves members of, the legislature. The chief clerk serves as the clerk of the house when it is in session and supervises the preparation of legislative records. In conjunction with the presiding officers, the chief clerks supervise personnel and administrative functions for their respective houses. The sergeants at arms maintain order in and about the chambers and supervise the messengers.

Legislative Compensation. When the 2005 Legislature convened on January 3, 2005, all members were eligible for a salary of \$45,569 per year. The process for setting legislative salaries requires the Director of the Office of State Employment Relations to submit proposed changes as part of the state compensation plan to the legislature's Joint Committee on Employment Relations. If the committee approves the plan, the new salary goes into effect for all legislators at the next inauguration. The committee also sets the salaries of the chief clerks and the sergeants at arms of the two houses within a range established under civil service procedures.

Members of the legislature, the chief clerks, and the sergeants at arms are entitled to an allowance not to exceed \$88 per day ("per diem") for living expenses for each day spent in Madison on legislative business if they certify by affidavit that they have established temporary residence at the state capital. Those who choose not to establish temporary residence are entitled to half that amount. All members are reimbursed for one weekly round trip from the capital to their homes. They also are reimbursed for expenses incurred while serving as legislative members of a state or interstate agency or when specifically authorized to attend meetings of such agencies as non-members. The Speaker of the Assembly also receives a stipend, currently \$25 per month.



Inauguration day is usually an occasion of ceremony and good fellowship. Since Senators serve 4-year terms, only half the members must take the oath at the start of each session. In 2005, members from even-numbered districts were sworn in. Here, newly elected Senator Glenn Grothman is welcomed by Senator Carol Roessler, beginning her 5th full term. (Richard G. B. Hanson II, Senate Photographer)

2005-2006 SESSION SCHEDULE

January 3, 2005	2005 Inauguration
January 12, 2005	Floorperiod
January 25-27, 2005	Floorperiod
February 8, 2005	Floorperiod
February 15-24, 2005	Floorperiod
March 8-17, 2005	Floorperiod
April 5-14, 2005	Floorperiod
April 28, 2005	Deadline for sending bills to governor
May 3-12, 2005	Floorperiod
May 31-July 1, 2005 (or until passage of budget)	Floorperiod
August 11, 2005	Deadline for sending nonbudget bills to governor*
September 20-29, 2005	Floorperiod
October 25-November 10, 2005	Floorperiod
December 6-15, 2005	Floorperiod
January 5, 2006	Deadline for sending bills to governor
January 17-February 2, 2006	Floorperiod
February 21-March 9, 2006	Floorperiod
April 13, 2006	Deadline for sending bills to governor
April 25-May 4, 2006	Last general-business floorperiod
May 16-18, 2006	Limited-business floorperiod
May 23, 2006	Deadline for sending bills to governor
May 30 and 31, 2006	Veto review floorperiod
June 14, 2006	Deadline for sending bills to governor
June 1, 2006-January 3, 2007	Interim committee work
December 27 and 28, 2006	Limited-business floorperiod
December 29, 2006	Deadline for sending bills to governor
January 3, 2007	2007 Inauguration

Any floorperiod may be convened earlier or extended beyond its scheduled dates by majority action of the membership or the organization committees of the two houses. The Committee on Senate Organization may schedule sessions outside floorperiods for senate action on gubernatorial nominations, but the assembly does not have to hold skeleton sessions during these appointment reviews. The legislature may call itself into extraordinary session or the governor may call a special session during a floorperiod or on any intervening day.

*Deadline for budget bill will depend on bill's passage.

Source: 2005 Senate Joint Resolution 1.

Legislators receive allowances for their office and mailing expenses while attending legislative sessions. If the legislature is in session three or fewer days in a particular month, legislative leadership may authorize an interim expense allowance to cover postage and clerical assistance (\$25 for representatives and \$75 for senators).

Legislative Sessions. Members of each new legislature convene in the State Capitol at 2 p.m. on the first Monday in January of each odd-numbered year to take the oath of office, select officers, and organize for business. The initial meeting occurs on January 3 if the first Monday falls on January 1 or 2. The previous legislature usually holds its adjournment meeting on the same day, just prior to the convening of the new legislature. Thus, there is almost no interim between the two.

Originally, the constitution required the legislature to meet once during each annual session. An 1881 amendment restricted the body to one meeting in the two years comprising the biennial session. As a result, the legislature scheduled its meetings in a continuing biennial session with periodic recesses. It would meet in regular session from January through June of the odd-numbered year and then recess after completing the major portion of its work. It then reconvened from time to time in the remainder of the biennium, as needed. When a legislature had completed its work for the biennium, it adjourned *sine die*, meaning it did not set a date to reconvene. At that point, the 2-year session was over, and the legislature could not return unless called into special session by the governor.

In 1968, the state constitution was amended to permit the legislature to determine its own meeting schedule for the biennium. Beginning with the 1971 Legislature, annual sessions were formally initiated by law with the requirement that regular sessions begin in January of each year. Early in each biennium, the Joint Committee on Legislative Organization develops a work sched-

ule for the 2-year period and submits it to the legislature in the form of a joint resolution. The 2005-2006 session schedule, for example, is structured around 17 floorperiods, with periods of committee work interspersed throughout the biennium.

Meetings of the respective houses of the legislature are held in the senate and assembly chambers in the State Capitol. Usually, the legislature meets Tuesday through Thursday of each week. Toward the end of many floorperiods, however, the houses may meet continuously during the day Tuesday through Friday and hold evening sessions. Unless otherwise ordered, daily sessions begin at 10 a.m. for the senate and 9 a.m. for the assembly (10 a.m. on the first legislative day of the week). Daily sessions usually extend beyond noon, especially later in the legislative session. If business permits, afternoons may be devoted to committee hearings or a combination of hearings and late afternoon sessions.

As illustrated in the foregoing description, the word “session” has several meanings. The “legislative session” usually refers to the 2-year period that comprises a particular legislature. If the legislature is “not in session”, that may mean it is in an interim period between floorperiods. Saying that either the senate or assembly is “not in session”, however, may mean that the house has adjourned for the day or that it has recessed until a later hour of the same day.

Extraordinary and Special Sessions. Beginning in 1962, the legislature adopted procedures that would permit it to reassemble through a petition signed by a majority of the members of each house. An amendment to the 1977 Joint Rules codified this procedure by allowing the legislature to call itself into an “extraordinary session”. The legislature may convene in extraordinary session or extend a floorperiod at the direction of the majority of the members of the organization committee in each house, by passage of a joint resolution, or by a joint petition signed by the majority of members of each house.

In addition, the governor has the authority to call a “special session”, in which the legislature can act only upon matters specifically mentioned in the governor’s call. As of the adjournment of the 2003 Legislature, there had been 78 special sessions since Wisconsin became a state in 1848. It is possible for a regular session and a special session to be scheduled at different times during a week or even on the same day. Because special sessions may occur at any time during the legislative biennium, enactments resulting from a special session are now numbered within the regular sequence of biennial laws.

Session Records. Each house of the legislature keeps a record of its actions known as the daily journal. This record differs from the federal *Congressional Record* in that it does not provide a transcript or abbreviated account of speeches made on the floor. It is, instead, an outline record of the business before the house, including procedural actions taken on all measures considered on that particular day, roll call votes, communications received from the governor or the other house, special committee reports, and miscellaneous items.

The *Bulletin of the Proceedings of the Wisconsin Legislature* is generally issued weekly during floorperiods and less often during committee work periods. Each issue contains a cumulative record of actions taken on bills, joint resolutions, and resolutions by both houses, listed by bill or resolution number. It includes a subject and author index to legislation; a subject index to the legislative journals; a subject index to new laws and enrolled bills and joint resolutions; a numeric listing of statute sections affected by these laws; changes made to statutory court rules by supreme court orders; and the complete text of constitutional amendments ratified since the most recent publication of the *Wisconsin Statutes*. Another part indexes and reports action on administrative rule changes. The *Bulletin* also includes a directory of lobbying organizations, licensed lobbyists, and legislative liaisons from state agencies.

Each week during the session, the chief clerks jointly issue a *Weekly Schedule of Committee Activities*, listing the business scheduled by the various committees for the coming week, together with the time and place of each hearing and advanced notices on hearings deemed to be of special interest. Each house also issues a daily calendar indicating the business to be taken up on the floor that day.

Complete texts of bills, amendments, and resolutions; bill histories; a subject index to legislation; hearing notices and calendars; and other information on the legislature are available on the Internet at www.legis.state.wi.us. Reference copies of all these legislative documents are available at the Legislative Reference Bureau, and numerous libraries throughout the state also receive



The President of the Senate is the highest ranking official in the Senate and presides over floor sessions. Here President Alan Lasee (left) confers with Senator Michael Ellis. The two are the longest serving Republicans in the Senate. (Richard G. B. Hanson II, Senate Photographer)

them. Individuals and organizations may subscribe to receive printed versions of legislative documents. (See the table on Legislative Service in this section for fees and details.)

Standing Committees. To a large extent, the legislature does its work in committees. In the 2005 Legislature, the senate has 17 standing committees, the assembly 45, and there are 11 joint standing committees, composed of members from both houses. Joint standing committees are created in the statutes and membership is determined by law. Regular standing committees are created under the rules of their respective houses.

The standing committees in the individual houses consist of legislators only and operate throughout the biennium. Each committee is concerned with one or more broad subject areas related to government functions. It may hold public hearings on measures introduced in the legislature, conduct studies and investigations, and generally review matters within its area of concern. Legislative committees may also appoint subcommittees or study groups.

Senate rules require that each senator serve on at least one standing committee, and the Committee on Senate Organization sets the number of members on each committee. Usually the two major political parties are represented on the committees in proportion to their membership in the senate. The chairperson of the organization committee, who is also the majority leader, makes the appointments to committees. Committee nominations for individual members of the minority party are proposed by that party. An exception to the general method of appointment is the Committee on Senate Organization. It is an *ex officio* committee, consisting of members in leadership positions: the president, the majority and minority leaders, and the assistant leaders.

In the assembly, the speaker determines the number of members of each committee and the division of membership between the majority and minority parties. Under assembly rules, the speaker appoints majority party committee members directly and minority party committee members upon nomination by the assembly minority leader. Customarily, every member serves on at least one committee, although the rules are silent on the distribution of committee assignments. The speaker may appoint himself or herself to one or more standing committees and is a nonvoting

member of all others. By rule, the Committee on Assembly Organization is composed of the speaker, the speaker pro tempore, the majority and minority leaders, the assistant leaders, and the caucus chairpersons. The Committee on Rules includes all members of the organization committee plus one majority and one minority party member appointed by the speaker.

Temporary Special Committees. In addition to the standing committees, special committees may be appointed during a legislative session to study specific problems or conduct designated investigations and report to the legislature before the conclusion of the session.

Prior to 1947, the legislature created interim committees to investigate particular subjects. They functioned between legislative sessions and reported their findings and recommendations to the next legislature. Since 1947, almost all interim studies have been referred to the Joint Legislative Council, which coordinates a program of study and investigation after deciding which topics it will consider. The council usually appoints separate committees to study specific matters, and these committees include nonlegislative members.

Employees of the Legislature. Each house of the legislature provides staff services, which are managed by the respective chief clerk and sergeant at arms under the supervision of the Committee on Senate Organization or the speaker of the assembly. Although senate and assembly employees are not part of the classified service, they are paid in accordance with the compensation and classification plan established for employees in the classified service and within pay ranges approved by the Joint Committee on Legislative Organization.

The legislature employs six service agencies to provide financial and program audits, fiscal information and analysis, bill drafting, research services, legal counsel and policy assistance, computer and telecommunications services, and statutory revision.



The press plays an important role in the legislative process: it both informs the public about legislative activity, and allows members to express their concerns to the public. Senator Tom Reynolds addresses the press, flanked by (from left) Senator Leibham and Representatives Vos, Gundrum, and Ott. (Richard G. B. Hanson II, Senate Photographer)

THE LEGISLATURE ON THE INTERNET

Legislative Information

The Wisconsin Legislature's Internet home page at <http://www.legis.state.wi.us> provides extensive information regarding the legislature and the legislative process. Follow the links under **Legislative Activity** to access bills, acts, statutes, calendars, and other legislative activity during current and past sessions. Full text documents, including the Wisconsin Constitution, are also available online. The **Spotlight** link reports on-going legislative activity. In addition, the legislative **service agencies** have individual home pages where their publications can be downloaded.

The **Folio** search engine enables users to search for specific acts, bills, or statutes from 1995 to date. Folio may be accessed through the legislature's home page or at <http://folio.legis.state.wi.us>.

The legislature's home page links to individual legislator's home pages, which include information such as e-mail addresses, district maps, committee assignments, and biographical information. Some legislators also provide brief audio clips and personally designed pages to communicate with their constituents.

Live Video and Audio

The legislature offers a live audio service for those who want to track floor debate as it happens. Separate **InSession** links on the legislature's home page provide detailed directions for listening to discussions in the assembly and senate during floor sessions. The links include the calendars for their respective houses. The assembly also provides a live video stream of the floor session under the **Assembly Chamber Video** link. Some committees, including the Joint Committee on Finance, provide audio links for their hearings.

Legislative Notification Service

This service allows citizens to track legislation by creating a profile of items of interest. Profiles may include specific proposals identified by author, committee, or subject matter and may specify activity occurring at various stages of the legislative process. After a profile is filed on the Web site <http://notify.legis.state.wi.us>, users will receive daily or weekly e-mails of relevant activities.

NEWS MEDIA CORRESPONDENTS ACCREDITED TO THE 2005 LEGISLATURE April 2005

Organization	Correspondents	Telephone
Newspaper and Wire Services		
Appleton Post-Crescent	Ben Jones	255-9256
Associated Press	Ryan Foley, Todd Richmond, J.R. Ross	255-3679
Badger Herald	Ryan Masse, Chris Werner	257-4712
Capital Times	Dave Callender, Matt Pommer, Anita Weier	252-6475/252-6429
Capitol News Service	Stan Milam	335-8585
Green Bay Press-Gazette	Karen Lincoln Michel	255-9254
Isthmus	Bill Lueders	251-5627
Lee Newspapers/WSJ	Tom Sheehan	252-6198/(800) 362-8333, ext. 6198
Milwaukee Journal Sentinel	Stacy Forster, Patrick Marley, Steve Walters	258-2262/258-2274
Wheeler News Service	Thom Gerresten	(715) 389-2373
Wheeler Reports	George Coburn, Gwyn Guenther, Dick Wheeler	287-0130
Wisconsin Catholic Newspapers	John Huebscher	257-0004
Wisconsin State Journal	Phil Brinkman, Pat Simms	252-6145/252-6129
Radio and Television		
WIBA-AM and FM (Madison)	John Colbert	251-1978/274-2995
WISC-TV (Madison)	Colin Benedict	277-5246
WKOW-TV (Madison)	Steve Jandacek	273-2727
WMTV-TV (Madison)	Ryan Lobenstein	274-1500
WNWC-FM (Madison)	Christie McKittrick, Mike Powers	271-1025
WOLX-FM (Madison)	Adam Elliot	826-0077
WTDY-AM (Madison)	Robin Colbert, Tim Morrissey, Rich Schuh	271-1301
Wisconsin Public Radio	Shawn Johnson, Shamane Mills, Connie Walker	265-4358/263-7985
Wisconsin Radio Network	Andrew Beckett, Dale Forbis, Bob Hague, Jackie Johnson	251-3900
Wisconsin Public Television	Kathy Bissen, Frederica Freyberg, Art Hackett, Andy Moore	263-2121/263-8496/ 263-8585/263-5628/ 265-6646
Internet News Service		
Wisconsin Eye (wiseye.org)	Jeff Roberts	255-1000
Wispolitics.com	Greg Bump, Jeff Mayers, Mike Schramm	441-8418

Sources: Assembly Sergeant at Arms and information from various news organizations.

HOW A BILL BECOMES A LAW

The legislature decides policy by passing bills. A bill must pass both houses of the legislature and be signed by the governor before it becomes law. Other proposals introduced in the legislature also support the body's policy making function. Joint resolutions, which must pass both houses, may propose constitutional amendments, develop a session schedule, or modify the rules that govern both houses. They do not require the governor's signature. Simple resolutions, which are adopted by only one house, may organize the house at the beginning of the session, propose changes to house rules, or ask the attorney general for a legal opinion on a bill.

Introducing a Bill. A bill that proposes to make a change in current law will amend, create, repeal, renumber, renumber and amend, or repeal and recreate one or more sections of the *Wisconsin Statutes*. After the Legislative Reference Bureau drafts a bill, it is ready for introduction in one of the legislative houses. Each measure must go through regular procedures and be passed by the house of origin before it can go to the other house, where the process is repeated.

No one but individual legislators or legislative committees may introduce a bill. However, the statutes direct the Joint Committee on Finance to introduce the governor's executive budget bill without change. The legislator who introduces a bill is its "author"; others in the house of origin who support the bill may sign on as "coauthors". The measure may also list "cosponsors" from the second house.

When passing laws, legislators act as the representatives of the people. Therefore, the constitution requires that every bill introduced in the legislature begin with the words: "The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:".

Fiscal Estimates and Bill Analyses. Fiscal estimates put a price tag on legislation. In 1953, Wisconsin pioneered fiscal estimates, often called "fiscal notes", and many other states have copied this important legislative tool. Every measure that increases or decreases state or general local government revenues or expenditures must be accompanied by a reliable estimate of its short-range and long-range fiscal effects. Agencies that would ultimately administer the proposed program or be affected by the measure, should it be enacted, prepare most fiscal notes. In the highly technical area of public retirement systems, the Joint Survey Committee on Retirement Systems prepares fiscal estimates with the assistance of research staff. In these cases, the note must evaluate not only the fiscal effect of a proposal but also its legality under state and federal law and its desirability as a matter of public policy.

Since 1967, the Legislative Reference Bureau has prepared an analysis of each bill introduced in the legislature, explaining in plain language the existing law and how it will change if the bill becomes law. The analysis is printed in the bill immediately following the title. As a general rule, analyses are not updated to reflect amendments approved during the legislative process, so they usually describe only the content of the bill at introduction.

Introduction, First Reading, and Referral to Committee. A bill is introduced when the chief clerk of the author's house assigns it a number and records the introduction for the house journal. Traditionally, the "first reading" took place when the clerk read that part of the proposal's title known as the "relating clause" – the clause that briefly describes the subject matter of the bill, e.g., "relating to the powers and duties of state traffic patrol officers and motor vehicle inspectors" when the house was meeting. In recent times, the clerk usually distributes a report showing the numbers and relating clauses of proposals offered for introduction which takes the place of an actual reading. After first reading, the presiding officer usually refers the proposal to the appropriate standing committee for review. Generally bills that appropriate money, provide for revenue, or relate to taxation are referred to the Joint Committee on Finance before they can be enacted into law.

Committee Hearings. All committee proceedings are open to the general public. Neither assembly nor senate rules require a chairperson to schedule a hearing. If a hearing is held, anyone may speak to the committee to support or oppose a measure or merely to present information to the committee without taking a position. Persons may also register for or against a proposal or submit written comments or petitions without making an oral presentation.

Committees do not keep verbatim transcripts of their hearings, but they do maintain appearance records listing persons who testify or register at the hearing, together with any printed information



Representative Tamara Grigsby, who began her first term in the Assembly in 2005, addresses her colleagues. (Brent Nicastro, Assembly Photographer)

those parties submit relative to bills and resolutions before the committee. Records for the current legislative session are filed in the office of the committee chairperson. Copies of appearance records for prior sessions, beginning with the 1951 session, are filed in the Legislative Reference Bureau.

The chairperson of a committee decides whether or not to take action on a particular proposal. If the decision is to act, the chairperson will call an “executive session” of the committee. In the session, committee members discuss the bill and may ask questions of persons in attendance, but no further public testimony is taken. At the close of the executive session, the committee decides whether to recommend passage of the bill as originally introduced, passage with amendments, or rejection. If the result is a tie vote, the committee can report the bill without recommendation. A committee’s decision is contained in a brief report to the house. (Bills that receive a negative recommendation are almost never reported to the floor.)

The following is an example of a committee report to the senate from the *Senate Journal*, May 18, 2005:

The Committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform** reports and recommends:

Senate Bill 126

Relating to: changing the requirements for the publication of city and village ordinances.

Introduction of Senate Amendment 1 to Senate Substitute Amendment 1.

Ayes, 4 – Senators Brown, Zien, Kanavas and Breske.

Noes, 1 – Senator Wirch.

Adoption of Senate Amendment 1 to Senate Substitute Amendment 1.

Ayes, 4 – Senators Brown, Zien, Kanavas and Breske.

Noes, 1 – Senator Wirch.

Adoption of Senate Substitute Amendment 1.

Ayes, 3 – Senators Brown, Zien and Kanavas.

Noes, 2 – Senators Breske and Wirch.

Passage as amended.

Ayes, 3 – Senators Brown, Zien and Kanavas.

Noes, 2 – Senators Breske and Wirch.

Ronald Brown

Chairperson

Committee chairpersons determine the scheduling of committee hearings. A committee is allowed a reasonable period of time to consider matters referred to it. A majority of the members of the assembly may withdraw a bill not reported by an assembly committee 21 days after the date of referral by motion or petition. In the senate, a majority may vote to withdraw a bill from a committee at any time but not during the 7 days preceding any scheduled committee hearing nor the 7 days following the date on which the hearing was held. In both houses, when an attempt is unsuccessful, all subsequent motions to withdraw the same proposal require at least a two-thirds vote of the members. In practice, bills are very rarely withdrawn from committees without a committee report.

Scheduling Debate. Both the senate and assembly make use of a daily calendar to schedule proposals for consideration. In the 2005 Legislature, all proposals reported by senate standing committees are referred to the Committee on Senate Organization; in the assembly, they are referred to the Committee on Rules. These committees schedule business for floor debate.

Parliamentary Procedure. The rules of parliamentary procedure, which are guides for each house, facilitate the legislative process and are printed in pamphlets, titled “Senate Rules” and “Assembly Rules”. Each house may create new rules and amend or repeal its current rules by passage of a simple resolution. “Joint Rules” deal with the relations between the houses and with administrative proceedings common to both. Changes in joint rules require the passage of a joint resolution.

Parliamentary process may seem unduly cumbersome to the onlooker, but it helps the houses operate in an organized fashion. The process is designed to protect the minority in its right to be



Representative Jean Hundertmark exchanges views with colleague Representative Dan Meyer on the floor of the Assembly. (Jay Salvo, Assembly Photographer)

heard and to promote careful deliberation and orderly consideration of all legislation. For particularly difficult procedural questions, the presiding officer of each house has access to such standard sources as *Mason's Manual of Legislative Procedure*, *Jefferson's Manual*, and *Rulings of the Chair*.

Second Reading. Once a bill is scheduled for house action, the clerk gives it a second reading by title. The purpose of a second reading is to consider amendments. An amendment may be a "simple" amendment, which makes changes within the bill, or a "substitute amendment", which completely replaces the original bill. Members may offer, debate, and vote upon amendments at any time prior to a vote to "engross" the measure and read it a third time. Engrossment of a bill incorporates all adopted amendments and all approved technical corrections into a proposal in its house of origin. The rules of both houses require a formal delay after the proposal is engrossed, which gives legislators time to reconsider the issues raised by the bill. In many cases, however, the rules are suspended by unanimous consent or a two-thirds vote so that second and third readings can occur on the same legislative day.

Third Reading. The purpose of the third reading is to make a final decision on a proposal itself. After a third reading, the proposal is put to the house for a vote with the following questions: "This bill having been read 3 separate times, the question is, 'Shall the bill pass?'" (for the senate) or "Shall the bill be passed?" (for the assembly). Members can debate the bill's contents at this point, but it is not subject to amendment. When all members finish speaking they vote. A bill may pass on a voice vote, unless a roll call vote is required by the state constitution, by law or legislative rule, or by request of a prescribed number of members.

Action in the Second House. If the bill passes, it is "messed" (sent) to the other house, where it goes through substantially the same procedure as in the first house. In the second house, however, the bill may be referred directly to the daily calendar without referral to a standing committee. When the second house concurs in the bill, whether with or without additional amendments, the measure is messaged back to the house of origin.

If the second house amends the bill before concurring, the house of origin must vote upon those amendments. If the original house rejects amendments or further amends the bill, the resulting proposal may be sent back to the second house or to a conference committee made up of members representing both houses, where attempts are made to iron out the differences between the 2 versions. The compromise version, drawn up by the conference committee, cannot be amended in either house when it is brought to a vote. When both houses have agreed on identical wording of a bill, the Legislative Reference Bureau "enrolls" it in its final form, incorporating any amendments and corrections approved by both houses, and the measure is forwarded for the governor's signature.

On average about 1,600 bills were introduced in each of the past 10 legislatures, but only about 20% of those passed. Bills fail for many reasons: the house of origin may vote to "indefinitely postpone" or "table" a bill and then never take it up again; the second house may vote to "nonconcur" or may concur but with amendments unacceptable to the house of origin; or the proposal may "die in committee" and never be reported back to the house. An unsuccessful proposal does not carry over to the following legislature. A member must reintroduce it as a new bill.

Action of the Governor. The governor has 6 days (excluding Sundays) in which to act on the bill by: 1) signing it, in which case it becomes law; 2) vetoing it in whole or, if an appropriation bill, in part; or 3) failing to sign it within 6 days, in which case it becomes law without the governor's signature. Partial veto of words or numbers within a bill is permitted in the case of bills which contain an appropriation. If the governor signs the bill but vetoes part of it, the portion not vetoed becomes law.

Bills are not sent to the office of the governor immediately following passage but are presented when the governor calls for them. The legislative session schedule, however, provides deadlines after each floorperiod when all bills not yet called for must be sent to the governor. It also provides a specific floorperiod for final legislative review of the governor's vetoes.

If the governor vetoes a bill, in whole or part, the vetoed parts must be returned to the house of origin with the governor's written objections. A vetoed bill or part of a bill can become law despite the governor's objections, but it requires a two-thirds vote in each house to override the

veto. If either house fails to muster the sufficient number of votes, the governor's veto is sustained, and the vetoed bill or portion dies.

Session Laws. Each new law is numbered as a Wisconsin Act, based on the year of the legislative session and its order of enactment, e.g., 2005 Wisconsin Act 1. The date of enactment is the date the governor approves the act, the date it becomes a law without the governor's signature, or the date the legislature votes to override the governor's veto. The secretary of state assigns the new law a date of publication. On or before that date, copies of the act in pamphlet form, called a "slip law", must be available for public distribution. The secretary of state must publish the act's number, title, and original bill number within 10 working days after the date of enactment in the newspaper designated as the official state paper for publication of legal notices (currently the *Wisconsin State Journal*). The notice contains the date of enactment and date of publication and states the act is available for public distribution. The act takes effect the day after its assigned publication date, unless another effective date is specified in the law itself.

Ultimately, the Legislative Reference Bureau combines all the laws enacted during the biennium into bound volumes, called "Wisconsin Session Laws". The Revisor of Statutes Bureau incorporates any portions of these laws that make changes in the statutes into the edition of the "Wisconsin Statutes" dated for that legislative biennium. Thus, the edition identified as the *2003-2004 Wisconsin Statutes* includes all statutory changes resulting from laws enacted by the 2003 Legislature.

The Budget Bill. The budget bill is the longest and most complex bill of the session. Because Wisconsin's budget covers a 2-year period from July 1 of one odd-numbered year through June 30 of the next, its development involves a chain of events stretching over almost a year. In the fall of every even-numbered year, state agencies must submit funding requests to the Department of Administration. Their funding requests include estimates of the cost of existing services over the next 2 years and may propose changes they hope are made in their programs. The Department of Administration's state budget office then compiles the data for review by the governor or governor-elect. While developing the budget, the governor may hold a hearing on any department's budget request to get additional input.

State law requires the governor to deliver the budget message to the new legislature on or before the last Tuesday in January, although the legislature may extend the deadline at the governor's request. The state budget report and the biennial executive budget bill or bills accompany the message.

In the legislature, the Joint Committee on Finance holds hearings on the departmental requests and governor's program initiatives. When these are completed, it reports the budget bill to the house of the legislature in which it was introduced. The committee's report takes the form of a substitute amendment. The bill then follows the normal legislative procedure through both houses of the legislature and is submitted for the governor's approval. The governor may sign the budget bill, veto it in its entirety (which would be unlikely), or use partial vetoes, as is usually the case. To meet the state's budgetary cycle, the new budget law should be effective by July 1 of the odd-numbered year, but there sometimes is a delay of several days, or even weeks or months, during which state agencies continue to operate at their levels of appropriation from the preceding budget.

Further Reading. The preceding section has provided a brief description of how a bill becomes a law in Wisconsin. In practice, legislative procedure is more complex than explained here. The feature article from the *1993-1994 Wisconsin Blue Book* contains a more detailed description and uses a case study approach to further illustrate the legislative process. It may be accessed via the *Wisconsin Blue Book* link on the Legislative Reference Bureau's Web site: www.legis.state.wi.us/lrb/pubs

EXECUTIVE VETOES, 1931 – 2003 SESSIONS

Session	Bills Vetoed in Entirety			Bills Partially Vetoed			Partial Vetoes Contained in Biennial Budget Bills	
	Number Vetoed	Vetoes Sustained	Vetoes Overridden	Number Partially Vetoed	All Partial Vetoes Sustained	One or More Partial Vetoes Overridden	Number of Partial Vetoes ¹	Overridden
1931	38	38	—	2	2	—	12	0
1933	15	15	—	1	1	—	12	0
1935	27	27	—	4	4	—	0	0
1937	10	10	—	1	1	—	0	0
1939	22 ²	22	—	4	4	—	1	0
1941	17	17	—	1	1	—	1	0
1943	39	19	20	1	—	1	0	0
1945	31	26	5	2	1	1	1	0
1947	10	9	1	1	1	—	4	0
1949	17	15	2	2	1	1	0	0
1951	18	18	—	—	—	—	0	0
1953	31	28	3	4 ³	4	—	2	0
1955	38	38	—	—	—	—	0	0
1957	35	34	1	3	3	—	2	0
1959	36	32	4	1	1	—	0	0
1961	69	67	2	3	3	—	2	0
1963	72	68	4	1	1	—	0	0
1965	24	23	1	4	4	—	1	0
1967	18	18	—	5	5	—	0	0
1969	34	33	1	11	11	—	27	0
1971	32	29	3	8	8	—	12	0
1973	13	13	—	18	15	3	38	2
1975	37	31	6	22	18	4	42	5
1977	21	17	4	16	13	3	67	21
1979	19	16	3	9	7	2	45	1
1981	11	9	2	11	10	1	121 ⁴	0
1983	3	3	—	11	10	1	70	6
1985	7	7	—	7	6	1	78	2
1987	38	38	—	20	20	—	290	0
1989	35	35	—	28	28	—	203	0
1991	33	33	—	13	13	—	457	0
1993	8	8	—	24	24	—	78	0
1995	4	4	—	21	21	—	112	0
1997	3	3	—	8	8	—	152	0
1999	5	5	—	9	9	—	255	0
2001	—	—	—	3	3	—	315	0
2003	54	54	—	10	10	—	131	0

Note: The legislature is not required to act on vetoes. Any veto not acted upon is counted as sustained, including pocket vetoes.

“Vetoes sustained” includes the following pocket vetoes: 1937 (5); 1941 (13); 1943 (4); 1951 (14); 1955 (10); 1957 (1); 1973 (1). A “pocket veto” resulted if the governor took no action on a bill after the legislature had adjourned *sine die*. (*Sine die*, from the Latin for “without a day”, means the legislature adjourns without setting a date to reconvene.) With this type of adjournment, the legislature concluded all its business for the biennium, and there was no opportunity for it to sustain or override the veto (see Article V, Section 10, *Wisconsin Constitution*). Under current legislative session schedules, in which the legislature usually adjourns on the final day of its existence, just hours before the newly elected legislature is seated, the pocket veto is unlikely.

¹As listed in each veto message by the governor.

²Attorney general ruled veto of 1939 SB-43 was void and it became law (see Vol. 28, *Opinions of the Attorney General*, p. 423).

³1953 AB-141, partially vetoed in two separate sections by separate veto messages, is counted as one.

⁴Attorney general ruled several vetoes “ineffective” because the governor failed to express his objections (see Vol. 70, *Opinions of the Attorney General*, p. 189).

Source: Compiled by Wisconsin Legislative Reference Bureau from the *Bulletin of the Proceedings of the Wisconsin Legislature* and the *Assembly and Senate Journals*.

2005-2006 LEGISLATIVE SERVICE

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Bills, resolutions, and amendments (complete text of each as introduced).

Acts are the laws enacted in bill form by the legislature and signed by the governor or passed over the governor’s veto. The acts are distributed separately as “slip laws”.

Journals are a daily record of the business conducted in each house, but they are not verbatim accounts. The service provides preliminary editions of the journals (published on the morning after the legislative day on yellow paper for senate journals and green paper for assembly journals) and the final corrected editions (printed on white paper and distributed two or three weeks later).

The **Bulletin of Proceedings** contains a numerical listing of all bills and other measures introduced in each house of the legislature and a cumulative record of actions taken on each. It includes a subject index to all measures introduced and to all acts, a list of proposals introduced by each legislator, and a numerical listing of statutory sections affected by acts and enrolled bills. It is issued as needed during the biennial session.

The **Weekly Schedule of Committee Activities** lists the time and place of legislative committee hearings for the coming week and advanced notices for hearings on issues of special interest.

Administrative Rules lists the administrative rules submitted by executive branch agencies by clearinghouse rule number. It includes a subject index, a list of agency contacts, and a cumulative record of actions taken on each proposal.

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Assistant Minority Leader Jon Richards (left) discusses the upcoming Assembly floor session with Majority Caucus Chairperson Dan Vrakas. (Jay Salvo, Assembly Photographer)

**POLITICAL COMPOSITION OF THE
WISCONSIN LEGISLATURE
1885 – 2005**

Legislative Session ¹	Senate						Assembly							
	D	R	P	S	SD	M ³	Vacant	D	R	P	S	SD	M ⁴	Vacant
1885	13	20	—	—	—	—	—	39	61	—	—	—	—	—
1887	6	25	—	—	—	2	—	30	57	—	—	—	13	—
1889	6	24	—	—	—	3	—	29	71	—	—	—	—	—
1891	19	14	—	—	—	—	—	66	33	—	—	—	1	—
1893	26	7	—	—	—	—	—	56	44	—	—	—	—	—
1895	13	20	—	—	—	—	—	19	81	—	—	—	—	—
1897	4	29	—	—	—	—	—	8	91	—	—	—	1	—
1899	2	31	—	—	—	—	—	19	81	—	—	—	—	—
1901	2	31	—	—	—	—	—	18	82	—	—	—	—	—
1903	3	30	—	—	—	—	—	25	75	—	—	—	—	—
1905	4	28	—	—	1	—	—	11	85	—	—	4	—	—
1907	5	27	—	—	1	—	—	19	76	—	—	5	—	—
1909	4	28	—	—	1	—	—	17	80	—	—	3	—	—
1911	4	27	—	—	2	—	—	29	59	—	—	12	—	—
1913	9	23	—	—	1	—	—	37	57	—	—	6	—	—
1915	11	21	—	—	1	—	—	29	63	—	—	8	—	—
1917	6	24	—	3	—	—	—	14	79	—	7	—	—	—
1919	2	27	—	4	—	—	—	5	79	—	16	—	—	—
1921	2	27	—	4	—	—	—	2	92	—	6	—	—	—
1923	—	30	—	3	—	—	—	1	89	—	10	—	—	—
1925	—	30	—	3	—	—	—	1	92	—	7	—	—	—
1927	—	31	—	2	—	—	—	3	89	—	8	—	—	—
1929	—	31	—	2	—	—	—	6	90	—	3	—	1	—
1931	1	30	—	2	—	—	—	2	89	—	9	—	—	—
1933	9	23	—	1	—	—	—	59	13	24	3	—	1	—
1935	13	6	14	—	—	—	—	35	17	45	3	—	—	—
1937	9	8	16	—	—	—	—	31	21	46	2	—	—	—
1939	6	16	11	—	—	—	—	15	53	32	—	—	—	—
1941	3	24	6	—	—	—	—	15	60	25	—	—	—	—
1943	4	23	6	—	—	—	—	14	73	13	—	—	—	—
1945	6	22	5	—	—	—	—	19	75	6	—	—	—	—
1947	5	27	1	—	—	—	—	11	88	6	—	—	—	1
1949	3	27	—	—	—	—	3	26	74	—	—	—	—	—
1951	7	26	—	—	—	—	—	24	75	—	—	—	—	1
1953	7	26	—	—	—	—	—	25	75	—	—	—	—	—
1955	8	24	—	—	—	1	—	36	64	—	—	—	—	—
1957	10	23	—	—	—	—	—	33	67	—	—	—	—	—
1959	12	20	—	—	—	1	—	55	45	—	—	—	—	—
1961	13	20	—	—	—	—	—	45	55	—	—	—	—	—
1963	11	22	—	—	—	—	—	46	53	—	—	—	—	1
1965	12	20	—	—	—	1	—	52	48	—	—	—	—	—
1967	12	21	—	—	—	—	—	47	53	—	—	—	—	—
1969	10	23	—	—	—	—	—	48	52	—	—	—	—	—
1971	12	20	—	—	—	1	—	67	33	—	—	—	—	—
1973	15	18	—	—	—	—	—	62	37	—	—	—	—	—
1975	18	13	—	—	—	2	—	63	36	—	—	—	—	—
1977	23	10	—	—	—	—	—	66	33	—	—	—	—	—
1979	21	10	—	—	—	2	—	60	39	—	—	—	—	—
1981	19	14	—	—	—	—	—	59	39	—	—	—	—	1
1983	17	14	—	—	—	2	—	59	40	—	—	—	—	—
1985	19	14	—	—	—	—	—	52	47	—	—	—	—	—
1987	19	11	—	—	—	3	—	54	45	—	—	—	—	—
1989	20	13	—	—	—	—	—	56	43	—	—	—	—	—
1991	19	14	—	—	—	—	—	58	41	—	—	—	—	—
1993 ²	15	15	—	—	—	3	—	52	47	—	—	—	—	—
1995 ²	16	17	—	—	—	—	—	48	51	—	—	—	—	—
1997 ²	17	16	—	—	—	—	—	47	52	—	—	—	—	—
1999	17	16	—	—	—	—	—	44	55	—	—	—	—	—
2001	18	15	—	—	—	—	—	43	56	—	—	—	—	—
2003	15	18	—	—	—	—	—	41	58	—	—	—	—	—
2005	14	19	—	—	—	—	—	39	60	—	—	—	—	—

Note: The number of assembly districts was reduced from 100 to 99 beginning in 1973.
 Key: Democrat (D); Progressive (P); Republican (R); Socialist (S); Social Democrat (SD); Miscellaneous (M).
¹Political composition at inauguration.
²In the 1993, 1995, and 1997 Legislatures, majority control of the senate shifted during the session. On 4/20/93, vacancies were filled resulting in a total of 16 Democrats and 17 Republicans; on 6/16/96, there were 17 Democrats and 16 Republicans; and on 4/19/98, there were 16 Democrats and 17 Republicans.
³Miscellaneous = one Independent and one People's (1887); one Independent and 2 Union Labor (1889).
⁴Miscellaneous = 3 Independent, 4 Independent Democrat, and 6 People's (1887); one Union Labor (1891); one Fusion (1897); one Independent (1929); one Independent Republican (1933).
 Sources: Pre-1943 data is taken from the Secretary of State, *Officers of Wisconsin: U.S., State, Judicial, Congressional, Legislative and County Officers*, 1943 and earlier editions, and the *Wisconsin Blue Book*, various editions. Later data compiled from Wisconsin Legislative Reference Bureau sources.



Senator Fred Risser and Representative Marlin Schneider have served a combined 82 years in the Wisconsin Legislature. Senator Risser was first elected in 1956 and is the longest serving legislator in Wisconsin history. Representative Schneider, first elected in 1970, is the longest serving member of the Wisconsin Assembly in state history. (Brent Nicastro, Assembly Photographer)

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STANDING COMMITTEES OF THE 2005 WISCONSIN LEGISLATURE

All standing committees of the 2005 Wisconsin Legislature are described in this section. The standing committees of the senate are created by the Committee on Senate Organization while standing committees of the assembly are enumerated in Assembly Rule 9. In the case of each standing committee listed below, the names of committee officers are followed by those of the majority party and minority party, separated by a semicolon. An * indicates the ranking minority member.

SENATE STANDING COMMITTEES

- Administrative Rules** — GROTHMAN, *chairperson*; STEPP, REYNOLDS; JAUCH*, MILLER.
- Agriculture and Insurance** — KAPANKE, *chairperson*; KEDZIE, BROWN, OLSEN; ERPENBACH*, HANSEN, MILLER.
- Audit** — ROESSLER, *chairperson*; COWLES, S. FITZGERALD; MILLER*, LASSA.
- Campaign Finance Reform and Ethics** — ELLIS, *chairperson*; LASEE, KEDZIE; RISSER*, MILLER.
- Education** — OLSEN, *chairperson*; DARLING, HARSDF, GROTHMAN; JAUCH*, ERPENBACH, HANSEN.
- Energy, Utilities, and Information Technology** — COWLES, *chairperson*; LEIBHAM, KAPANKE; PLALE*, WIRCH.
- Finance** — S. FITZGERALD, *chairperson*; LAZICH, COWLES, DARLING, LEIBHAM, OLSEN; DECKER*, TAYLOR.
- Health, Children, Families, Aging and Long Term Care** — ROESSLER, *chairperson*; DARLING, BROWN; ERPENBACH*, CARPENTER.
- Higher Education and Tourism** — HARSDF, *chairperson*; KEDZIE, KAPANKE; BRESKE*, PLALE.
- Housing and Financial Institutions** — STEPP, *chairperson*; HARSDF, BROWN, REYNOLDS; PLALE*, LASSA, COGGS.
- Job Creation, Economic Development and Consumer Affairs** — KANAVAS, *chairperson*; ZIEN, REYNOLDS; LASSA*, DECKER.
- Judiciary, Corrections and Privacy** — ZIEN, *chairperson*; ROESSLER, GROTHMAN; COGGS* (resigned 4/1/05), RISSER* (appointed 4/1/05), TAYLOR.
- Labor and Election Process Reform** — REYNOLDS, *chairperson*; LAZICH, KANAVAS; HANSEN*, CARPENTER.
- Natural Resources and Transportation** — KEDZIE, *chairperson*; STEPP, KAPANKE; WIRCH*, BRESKE.
- Senate Organization** — SCHULTZ, *chairperson*; A. LASEE, KEDZIE; ROBSON*, HANSEN.
- State and Federal Relations** — ELLIS, *chairperson*; A. LASEE, SCHULTZ; RISSER*, CARPENTER.
- Veterans, Homeland Security, Military Affairs, Small Business and Government Reform** — BROWN, *chairperson*; ZIEN, KANAVAS; BRESKE*, WIRCH.

ASSEMBLY STANDING COMMITTEES

- Administrative Rules** — GOTTLIEB, *chairperson*; LEMAHIEU, *vice chairperson*; FRISKE, SCHNEIDER*, BLACK.
- Aging and Long-Term Care** — TOWNSEND, *chairperson*; HINES, *vice chairperson*; PETTIS, LEMAHIEU, NISCHKE, STRACHOTA; KRUSICK*, VRUWINK, POPE-ROBERTS, PARISI.
- Agriculture** — OTT, *chairperson*; NERISON, *vice chairperson*; AINSWORTH, PETROWSKI, KESTELL (resigned 1/28/05), HINES (appointed 1/28/05), SUDER, M. WILLIAMS, LOEFFELHOLZ, TOWNS; GRONEMUS*, VRUWINK, ZIEGELBAUER, SINICKI, MOLEPSKI, PARISI.
- Assembly Organization** — GARD, *chairperson*; HUEBSCH, *vice chairperson*; FREESE, J. FITZGERALD, VRAKAS; KREUSER*, RICHARDS, TURNER.
- Audit** — JESKEWITZ, *chairperson*; KAUFERT, *vice chairperson*; KERKMAN; TRAVIS*, CULLEN.

Budget Review — KERKMAN, *chairperson*; GUNDERSON, *vice chairperson*; ALBERS, PRIDEMORE; PARISI*, BERCEAU.

Campaigns and Elections — FREESE, *chairperson*; GUNDRUM, *vice chairperson*; WOOD, VOS; TRAVIS*, KESSLER.

Children and Families — KESTELL, *chairperson*; VOS, *vice chairperson*; ALBERS, JESKEWITZ, VUKMIR; GRIGSBY*, SINICKI, SEIDEL.

Colleges and Universities — KREIBICH, *chairperson*; BALLWEG, *vice chairperson*; UNDERHEIM, NASS, JESKEWITZ, TOWNS, LAMB; SHILLING*, SCHNEIDER, BLACK, BOYLE, MOLEPSKE.

Corrections and the Courts — BIES, *chairperson*; GUNDRUM, *vice chairperson*; UNDERHEIM, OWENS, SUDER, LEMAHIEU; POPE-ROBERTS*, WASSERMAN, SEIDEL, PARISI.

Criminal Justice and Homeland Security — SUDER, *chairperson*; FRISKE, *vice chairperson*; OWENS, F. LASEE, JESKEWITZ, GUNDRUM, VUKMIR; TURNER*, KRUSICK, BLACK, KESSLER, GRIGSBY.

Economic Development — MCCORMICK, *chairperson*; LAMB, *vice chairperson*; LOEFFELHOLZ, NISCHKE, LOTHIAN, HONADEL; FIELDS*, STEINBRINK, TOLES.

Education — TOWNS, *chairperson*; KESTELL, *vice chairperson*; NASS, HUNDERTMARK, TOWNSEND, HINES, DAVIS; LEHMAN*, A. WILLIAMS, ZIEGELBAUER, POPE-ROBERTS, VAN AKKEREN.

Education Reform — VUKMIR, *chairperson*; NASS, *vice chairperson*; TOWNS, WOOD, NISCHKE, PRIDEMORE; SINICKI*, A. WILLIAMS, LEHMAN.

Employment Relations — GARD (speaker), *chairperson*; HUEBSCH (majority leader), KAUFERT (cochair, Joint Committee on Finance), KREUSER* (minority leader).

Energy and Utilities — MONTGOMERY, *chairperson*; DAVIS, *vice chairperson*; HAHN, GOTTLIEB, NISCHKE, HONADEL, NERISON; TRAVIS*, STASKUNAS, STEINBRINK, ZEPNICK.

Family Law — OWENS, *chairperson*; KESTELL, *vice chairperson*; ALBERS, BALLWEG; CULLEN*, KRUSICK.



Representative Sheldon Wasserman, one of two physicians in the legislature, testifies on behalf of his bill to create enhanced licensing requirements for drivers over the age of 75. (Brent Nicastro, Assembly Photographer)

- Finance** — KAUFERT, *chairperson*; WARD, *vice chairperson*; JENSEN, STONE, RHOADES, MEYER; COLÓN*, POCAN.
- Financial Institutions** — HUNDERTMARK, *chairperson*; LAMB, *vice chairperson*; FREESE, KREIBICH, WIECKERT, TOWNSEND, J. FITZGERALD, VOS, KLEEFISCH; RICHARDS*, SHERMAN, SHILLING, ZEPNICK, MOLEPSKE, FIELDS.
- Forestry** — FRISKE, *chairperson*; MURSAU, *vice chairperson*; AINSWORTH, M. WILLIAMS; HUBLER*, BOYLE.
- Government Operations and Spending Limitations** — F. LASEE, *chairperson*; MUSSER, *vice chairperson*; LOEFFELHOLZ, VOS; ZEPNICK*, ZIEGELBAUER.
- Health** — UNDERHEIM, *chairperson*; VUKMIR, *vice chairperson*; GIELOW, WIECKERT, KRAWCZYK, HUNDERTMARK, STRACHOTA, MOULTON; WASSERMAN*, SHILLING, VRUWINK, BENEDICT, NELSON.
- Highway Safety** — PETROWSKI, *chairperson*; BIES, *vice chairperson*; AINSWORTH, VAN ROY, MUSSER; YOUNG*, SHILLING, COLÓN.
- Housing** — WIECKERT, *chairperson*; TOWNSEND, *vice chairperson*; KREIBICH, MONTGOMERY; A. WILLIAMS*, YOUNG.
- Insurance** — NISCHKE, *chairperson*; WIECKERT, *vice chairperson*; UNDERHEIM, MONTGOMERY, MCCORMICK, GIELOW, VAN ROY, BALLWEG, MOULTON; CULLEN*, LEHMAN, STASKUNAS, BERCEAU, NELSON, SHERIDAN.
- Judiciary** — GUNDRUM, *chairperson*; MCCORMICK, *vice chairperson*; ALBERS, KERKMAN, KLEEFISCH; STASKUNAS*, TURNER, KESSLER.
- Labor** — NASS, *chairperson*; VRAKAS, *vice chairperson*; J. FITZGERALD, WIECKERT, HUNDERTMARK, VOS; VAN AKKEREN*, SINICKI, SHERIDAN.
- Medicaid Reform** — GIELOW, *chairperson*; STRACHOTA, *vice chairperson*; HUNDERTMARK, VUKMIR, DAVIS, VOS; BENEDICT*, WASSERMAN, POPE-ROBERTS.
- Military Affairs** — MUSSER, *chairperson*; PETTIS, *vice chairperson*; PETROWSKI, TOWNSEND, LOEFFELHOLZ; SCHNEIDER*, BOYLE, SINICKI.
- Natural Resources** — GUNDERSON, *chairperson*; MOULTON, *vice chairperson*; OTT, PETTIS, BIES, KRAWCZYK, M. WILLIAMS, PETROWSKI, MURSAU; BLACK*, GRONEMUS, STEINBRINK, VAN AKKEREN, MOLEPSKE, HEBL.
- Property Rights and Land Management** — ALBERS, *chairperson*; NASS, *vice chairperson*; MUSSER, WOOD; HEBL*, STASKUNAS.
- Public Health** — HINES, *chairperson*; UNDERHEIM, *vice chairperson*; TOWNSEND, FREESE, MCCORMICK; WASSERMAN*, GRIGSBY, BENEDICT.
- Rules** — HUEBSCH, *chairperson*; GARD, *vice chairperson*; FREESE, J. FITZGERALD, VRAKAS, GOTTLIEB, OWENS; TRAVIS*, TURNER, KREUSER, RICHARDS, SHERMAN.
- Rural Affairs and Renewable Energy** — HAHN, *chairperson*; M. WILLIAMS, *vice chairperson*; NERISON, FREESE, ALBERS, BALLWEG; VRUWINK*, SCHNEIDER, BENEDICT.
- Rural Development** — M. WILLIAMS, *chairperson*; SUDER, *vice chairperson*; OTT, KESTELL, MURSAU; NELSON*, GRONEMUS, BLACK.
- Small Business** — VAN ROY, *chairperson*; HONADEL, *vice chairperson*; M. WILLIAMS, BALLWEG, MURSAU; SHERIDAN*, FIELDS, HEBL.
- Southeast Wisconsin Freeways** — HONADEL, *chairperson*; GOTTLIEB, *vice chairperson*; KERKMAN, STRACHOTA; ZEPNICK*, CULLEN.
- State Affairs** — J. FITZGERALD, *chairperson*; KLEEFISCH, *vice chairperson*; MUSSER, GUNDRUM, KRAWCZYK, PETROWSKI; TOLES*, YOUNG, BENEDICT.
- State-Federal Relations** — LOTHIAN, *chairperson*; KERKMAN, *vice chairperson*; MONTGOMERY, KLEEFISCH; KESSLER*, ZEPNICK.
- Tourism** — PETTIS, *chairperson*; MURSAU, *vice chairperson*; GUNDERSON, HINES, VAN ROY, MOULTON, NERISON; ZIEGELBAUER*, YOUNG, VAN AKKEREN, SEIDEL, GRIGSBY.
- Transportation** — AINSWORTH, *chairperson*; PETROWSKI, *vice chairperson*; HAHN, SUDER, FRISKE, OTT, LAMB, VAN ROY, DAVIS; STEINBRINK*, GRONEMUS, SHERMAN, VRUWINK, MOLEPSKE, NELSON.



When a bill is considered by a committee, the authors typically appear to explain the need for the legislation. Representatives Terry Moulton (left) and Dean Kaufert testified before the Committee on Insurance about their bill on health savings accounts in January 2005. (Jay Salvo, Assembly Photographer)

Urban and Local Affairs — LEMAHIEU, *chairperson*; PRIDEMORE, *vice chairperson*; GUNDERSON, LOTHIAN, GOTTLIEB; BERCEAU*, FIELDS, PARISI.

Veterans Affairs — LOEFFELHOLZ, *chairperson*; MUSSER, *vice chairperson*; TOWNSEND, HUNDERTMARK, BIES; SHERMAN*, TURNER, HUBLER.

Ways and Means — WOOD, *chairperson*; NASS, *vice chairperson*; HAHN, JESKEWITZ, KERKMAN, LOTHIAN, STRACHOTA, PRIDEMORE; BERCEAU*, ZIEGELBAUER, TOLES, HEBL, FIELDS.

Workforce Development — KRAWCZYK, *chairperson*; LOTHIAN, *vice chairperson*; VRAKAS, KREIBICH, WOOD, GIELOW, PRIDEMORE; SEIDEL*, LEHMAN, TOLES, SHERIDAN.

**PERSONAL DATA ON WISCONSIN LEGISLATORS
1995 – 2005 Sessions**

	1995		1997		1999		2001		2003		2005	
	Sen.	Rep.	Sen.	Rep.	Sen.	Rep.	Sen.	Rep.	Sen.	Rep.	Sen.	Rep.
Party affiliation												
Democrat	16	48	17	47	17	44	18	43	15	41	14	39
Republican	17	51	16	52	16	55	15	56	18	58	19	60
Number with previous legislative service												
In senate	32	0	32	0	30	0	30	0	27	0	28	0
In assembly	21	87	23	89	23	78	24	89	22	84	23	81
Highest number of prior sessions in same house	16	12	17	13	18	14	19	15	20	16	21	17
Occupations												
Full-time legislator	12	40	14	38	14	38	15	40	13	39	11	39
Attorney	6	10	6	11	5	10	5	10	3	8	2	11
Farmer	1	14	0	15	1	12	1	13	3	9	3	10
Other	14	35	13	35	13	39	13	33	15	45	17	41
Education												
High school only	2	15	2	15	2	12	2	13	4	12	4	9
Beyond high school	31	84	31	84	31	87	31	86	29	87	29	90
Bachelor's or associate degree	27	66	28	66	26	67	28	67	25	65	26	70
Advanced degree	8	26	9	30	8	29	8	31	8	32	8	34
Number with experience on local governing body												
County board	2	22	3	21	4	19	4	18	4	19	4	18
Municipal board	8	24	6	29	6	31	5	36	8	35	10	28
Age												
Oldest	67	69	69	71	71	69	73	71	75	75	77	77
Youngest	31	26	33	28	35	27	37	26	33	27	34	28
Average	48	45	48	46	50	46	52	47	51	49	52	50
Veterans	6	14	5	14	4	14	4	15	4	12	4	14
Marital status												
Single	5	28	4	25	6	23	5	23	5	17	10	25
Married	28	70	29	73	27	74	29	76	28	80	23	70
Widowed	0	1	0	1	0	0	0	0	0	0	0	4
Number of women	8	24	9	22	11	19	11	22	8	27	8	26

Sen. – Senators; Rep. – Representatives.
 Note: Most data are recorded as of the date on which the legislature first convened; ages are determined as of January 1.
 Sources: *Wisconsin Blue Book*, various issues, and data collected by the Wisconsin Legislative Reference Bureau, January 2005.



Legislators use committee hearings as a way to gain a deeper understanding of pending legislation. Here Senator Spencer Coggs poses a question to a witness. (Richard G. B. Hanson II, Senate Photographer)

JOINT LEGISLATIVE COMMITTEES AND COMMISSIONS

Joint committees and commissions are created by statute and include members from both houses. Two joint committees include nonlegislative members. Names of committee officers are followed by those of the majority and minority party, separated by a semicolon. The ranking minority member is indicated by an *. Commissions also include gubernatorial appointees and, in 2 cases, the governor. All telephone numbers that do not include an area code are Madison numbers, area code 608.

Joint Committee for Review of ADMINISTRATIVE RULES

Members: SENATOR GROTHMAN, REPRESENTATIVE GOTTLIEB, *cochairpersons*; SENATORS STEPP, REYNOLDS; JAUCH*, MILLER; REPRESENTATIVES LEMAHIEU, FRISKE; SCHNEIDER*, BLACK.

Mailing Addresses: Senator Grothman, Room 20 South, State Capitol, P.O. Box 7882, Madison 53707-7882; Representative Gottlieb, Room 103 West, State Capitol, P.O. Box 8952, Madison 53708-8952.

Telephones: Senator Grothman, 266-7513; Representative Gottlieb, 267-2369.

E-mail: sen.grothman@legis.state.wi.us; rep.gottlieb@legis.state.wi.us

Statutory References: Sections 13.56, 227.19, 227.24, and 227.26.

Agency Responsibility: The Joint Committee for Review of Administrative Rules must review proposed rules when standing committees object to them. It also may suspend rules that have been promulgated; suspend or extend the effective period of all or part of emergency rules; and order an agency to put unwritten policies in rule form.

When a standing committee objects to a proposed rule or portion of a rule, it must be referred to the joint committee. The joint committee then has 30 days to review the rule, but that period may be extended for an additional 30 days. The joint committee may uphold or reverse the standing committee's action. If it concurs with the objection, it introduces bills concurrently in both

houses to prevent promulgation of the rule. If either bill is enacted, the agency may not adopt the rule unless specifically authorized to do so by subsequent legislative action. If the joint committee disagrees with the objection, it may overrule the standing committee and allow the agency to adopt the rule or it may request the agency to modify the rule.

The joint committee may suspend a rule after holding a public hearing, but suspension must be based on one or more of the following reasons: absence of statutory authority; an emergency related to public health or welfare; failure to comply with legislative intent; conflict with existing state law; a change in circumstances since passage of the law that authorized the rule; or a rule that is arbitrary or capricious or imposes undue hardship. Within 30 days following the suspension, the committee must introduce bills concurrently in both houses to repeal the suspended rule. If either bill is enacted, the rule is repealed and the agency may not promulgate it again unless authorized by the legislature. If both bills fail to pass, the rule remains in effect and may not be suspended again.

The joint committee receives notice of any action in the circuit court of Dane County for declaratory judgments about the validity of a rule and may intervene in the action with the consent of the Joint Committee on Legislative Organization.

Organization: The joint committee consists of 5 senators and 5 representatives, and the membership from each house must include representatives of both the majority and minority parties.

History: The Joint Committee for Review of Administrative Rules was one of the first of its kind in the country, and it has served as a model widely copied by other states. Chapter 221, Laws of 1955, revised administrative rules procedures and created the committee with “advisory powers only”. It could investigate complaints about rules and recommend changes to rule-making agencies but could not directly affect the rule-making process. In 1966, the committee received authority to suspend a rule based on testimony at a public hearing. With enactment of Chapter 34, Laws of 1979, the joint committee acquired the power to review proposed rules based on the objections of a legislative standing committee. Further modifications occurred when 1985 Wisconsin Act 182 authorized the joint committee to extend its 30-day review period and allowed it to negotiate with agencies to modify existing rules.

State of Wisconsin BUILDING COMMISSION

Members: GOVERNOR DOYLE, *chairperson*; SENATORS ROESSLER, ZIEN; RISSER; REPRESENTATIVES J. FITZGERALD, VRAKAS; SHILLING; TERRY MCGUIRE (citizen member appointed by governor).

Nonvoting advisory members from Department of Administration: MARC MAROTTA (departmental secretary), ADEL TABRIZI (chief engineer), DAVID HALEY (chief architect).

Secretary: ROBERT G. CRAMER, *administrator*, Division of Facilities Development, Department of Administration.

Mailing Address: P.O. Box 7866, Madison 53707-7866.

Location: 101 East Wilson Street, 7th Floor, Madison.

Telephone: 266-1855.

Fax: 267-2710.

Total Budget 2003-05: \$20,479,100*.

*Total budget includes bond revenues, building trust fund expenditures, and debt service payments for state office buildings, the State Capitol, and the Executive Residence.

Statutory Reference: Section 13.48.

Agency Responsibility: The State of Wisconsin Building Commission coordinates the state building program and establishes long-range plans for development of the state’s physical plant. The commission determines the projects to be incorporated into the long-range program and recommends a biennial building program to the legislature, including the amount to be appropriated in the biennial budget. It oversees all state construction, except highway development. In addi-

tion, the commission may authorize expenditures from the State Building Trust Fund for construction, remodeling, maintenance, and planning of future development. The commission is the only state body that can authorize the contracting of state debt. All transactions for the sale of instruments that result in a state debt liability must be approved by official resolution of the commission.

Organization: The 11-member commission includes 6 legislators. One legislator from each house must be a member of the legislature’s State Supported Programs Study and Advisory Committee, and both the majority and minority parties in each house must be represented. Terms of legislative members expire on the second Wednesday in January of odd-numbered years. The citizen member serves at the pleasure of the governor.

History: The State of Wisconsin Building Commission was created by Chapter 563, Laws of 1949, to establish a long-range public building program. Another 1949 law (Chapter 604) gave the commission authority to organize the quasi-public Wisconsin State Public Building Corporation. This legal device, familiarly known as a “dummy building corporation”, was used to finance public buildings to house state agencies because the Wisconsin Constitution prevented direct borrowing by the state for such projects. The quasi-public corporation was first used in 1925, when the University Building Corporation was developed to permit construction of revenue-producing facilities on the Madison campus, including dormitories and athletic buildings. The State Agencies Building Corporation, a similar entity, was formed in 1958 (Chapter 593, Laws of 1957) to finance nonrevenue-producing buildings, such as classroom facilities, and Chapter 267, Laws of 1961, extended the corporation’s authority to the financing of public welfare buildings.

In 1969, voters amended the constitution, and the legislature passed Chapter 259, which provided for direct state borrowing and ended the use of the various building corporations. The law enlarged the powers of the commission to finance capital facilities for all state agencies.

A separate State Bond Board, including 4 members of the Building Commission, was established by Chapter 259 to supervise the contracting of state debt. Chapter 90, Laws of 1973, abolished the bond board and returned its duties and responsibilities to the Building Commission.

Joint Review Committee on CRIMINAL PENALTIES

Members: SENATOR LEIBHAM, *chairperson*; SENATOR COGGS; 2 vacancies (representatives); PEGGY A. LAUTENSCHLAGER (attorney general); MATTHEW J. FRANK (secretary of corrections); NICHOLAS CHIARKAS (state public defender); DENNIS D. CONWAY, ROBERT PEKOWSKI (reserve judges appointed by supreme court); BRADLEY GEHRING, ALLAN KEHL (public members appointed by governor).

Mailing Address: Senator Leibham, Room 127 South, State Capitol, P.O. Box 7882, Madison 53707-7882.

Telephone: Senator Leibham, 266-2056.

E-mail: sen.leibham@legis.state.wi.us

Statutory Reference: Section 13.525.

Agency Responsibility: The Joint Review Committee on Criminal Penalties, created by 2001 Wisconsin Act 109, reviews any bill that creates a new crime or revises a penalty for an existing crime when requested to do so by a chairperson of a standing committee in the house of origin to which the bill was referred. The presiding officer in the house of origin may also request a report from the joint committee if the bill is not referred to a standing committee.

Committee reports on bills submitted for its review concern the costs or savings to public agencies; the consistency of proposed penalties with existing penalties; whether alternative language is needed to conform the proposed penalties to existing penalties; and whether any acts prohibited by the bill are already prohibited under existing law.

Once a report is requested for a bill, a standing committee may not vote on the bill and the house of origin may not pass the bill before the joint committee submits its report or before the 30th day after the request is made, whichever is earlier.



Once an Assembly committee reports favorably on a bill, the Assembly Rules Committee determines when or if it will go before the full Assembly. Traditionally, the Majority Leader chairs the committee – in this case, Representative Michael Huebsch. (Jay Salvo, Assembly Photographer)

Organization: Legislative members include one majority and one minority party member from each house. One reserve judge must reside somewhere within judicial administrative districts one through 5, and the other in districts 6 through 10. Public members must include an individual with law enforcement experience and one who is an elected county official.

Joint Committee on EMPLOYMENT RELATIONS

Members: SENATOR A. LASEE (senate president), REPRESENTATIVE GARD (assembly speaker), *cochairpersons*; SENATORS SCHULTZ (majority leader), ROBSON (minority leader); REPRESENTATIVES HUEBSCH (majority leader), KREUSER (minority leader); SENATOR S. FITZGERALD, REPRESENTATIVE KAUFERT (joint finance committee *cochairpersons*).

Mailing Address: Legislative Council Staff, P.O. Box 2536, Madison 53701-2536.

Location: 1 East Main Street, Suite 401, Madison.

Telephone: 266-1304.

Statutory References: Sections 13.111, 20.923, and 230.12; Chapter 111, Subchapter V.

Agency Responsibility: The Joint Committee on Employment Relations approves all changes to the collective bargaining agreements that cover state employees represented by unions and the compensation plans for nonrepresented state employees. These plans and agreements include pay adjustments; fringe benefits; performance awards; pay equity adjustments; and other items related to wages, hours, and conditions of employment. The committee also approves the assignment of unclassified positions to the executive salary group ranges.

In the case of unionized employees, the Office of State Employment Relations submits tentative agreements negotiated between it and certified labor organizations to the committee. If the committee disapproves an agreement, it is returned to the bargaining parties for renegotiation.

The Office of State Employment Relations also submits the compensation plans for nonrepresented employees to the committee. One plan covers all nonrepresented classified employees and certain officials outside the classified service, including legislators, justices of the supreme court, court of appeals judges, circuit court judges, constitutional officers, district attorneys, heads of executive agencies, division administrators, and others designated by law. The faculty and academic staff of the UW System are covered by a separate pay plan, which is based on recommendations made by the UW Board of Regents.

After public hearings on the nonrepresented employee plans, the committee may modify the office's recommendations, but the committee's modifications are subject to the governor's veto. A veto may be overridden by the vote of 6 committee members.

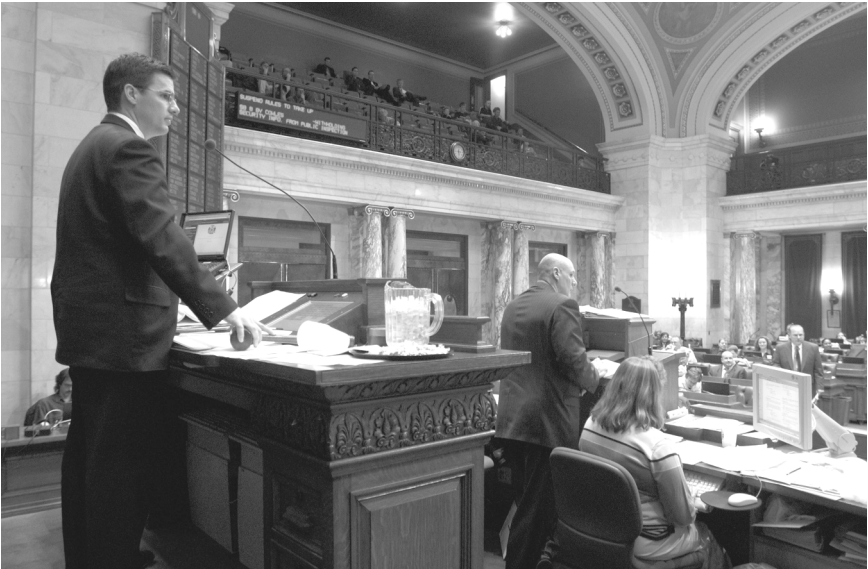
When the committee approves an agreement for unionized employees, it introduces those portions requiring legislative approval in bill form and recommends passage without change. If the legislature fails to adopt the bill, the agreement is returned to the bargaining parties for renegotiation.

Organization: The committee, which was established by Chapter 270, Laws of 1971, is a permanent joint legislative committee comprised of 8 *ex officio* members. It is assisted in its work by the Legislative Council Staff and the Legislative Fiscal Bureau.

Joint Committee on FINANCE

Members: SENATOR S. FITZGERALD, REPRESENTATIVE KAUFERT, *cochairpersons*; SENATORS LAZICH, DARLING, COWLES, LEIBHAM, OLSEN; DECKER*, TAYLOR; REPRESENTATIVES WARD, STONE, JENSEN, RHOADES, MEYER; POCAN*, COLÓN.

Mailing Addresses: Senator S. Fitzgerald, Room 317 East, State Capitol, P.O. Box 7882, Madison 53707-7882; Representative Kaufert, Room 308 East, State Capitol, P.O. Box 8952, Madison 53708-8952.



The Speaker is the highest ranking officer in the Assembly. As the leader of the majority party, he wields great influence over the procedural and policy agenda of the body. Speaker John Gard, who currently holds the position, presides over a floor session. (Jay Salvo, Assembly Photographer)

Telephones: Senator S. Fitzgerald, 266-5660; Representative Kaufert, 266-5719.

E-mail: sen.fitzgerald@legis.state.wi.us; rep.kaufert@legis.state.wi.us

Statutory References: Sections 13.09-13.11, 16.505, 16.515, and 20.865 (4).

Agency Responsibility: The Joint Committee on Finance examines all legislation that deals with state income and spending. It also gives final approval to a wide variety of state payments and assessments. Any bill introduced in the legislature that appropriates money, provides for revenue, or relates to taxation must be referred to the joint committee.

The joint committee introduces the biennial budget as recommended by the governor. After holding a series of public hearings and executive sessions, it submits its own version of the budget as a substitute amendment to the governor's budget bill for consideration by the legislature.

At regularly scheduled quarterly meetings, the joint committee considers agency requests to adjust their budgets. It may approve a request for emergency funds if it finds that the legislature has authorized the activities for which the appropriation is sought. It may also transfer funds between existing appropriations and change the number of positions authorized to an agency in the budget process.

When required, the joint committee introduces legislation to pay claims against the state, resolve shortages in funds, and restore capital reserve funds of the Wisconsin Housing and Economic Development Authority to the required level. As an emergency measure, it may reduce certain state agency appropriations when there is a decrease in state revenues.

The joint committee gives final approval for a variety of fiscal operations including: disposition of federal block grant funds and private gifts, grants, and bequests; changes in supplemental security income payment levels if approved by the governor; plans to deal with shortfalls in state agency fund accounts; disposition of oil overcharge funds; and expenditure plans for federal low-income assistance funds. In addition, the committee may inquire into the operations of any state agency for the purpose of improving agency efficiency.

Organization: The committee is a joint standing committee composed of the 8 senators on the Senate Finance Committee and the 8 representatives on the Assembly Finance Committee. It generally includes members of the majority and minority party in each house. Cochairpersons of the joint committee are appointed in the same manner as are standing committees of their respective houses.

History: The use of a joint standing committee to consider appropriation bills dates back to 1857 when the legislature created the Joint Committee on Claims. In 1911 (Chapter 6), the Joint Committee on Finance replaced the claims committee and was given the responsibility to consider all bills related to revenue and taxation. Chapter 609, Laws of 1915, authorized the governor, secretary of state, and state treasurer to approve emergency appropriations when the legislature was not in session to permit departments with insufficient funds to carry out their normal duties. Chapter 97, Laws of 1929, transferred this function to a new Emergency Board, which consisted of the governor and the cochairpersons of the joint finance committee. The power to approve supplemental appropriations, transfer funds between appropriations, and handle other interim fiscal matters was given to a joint legislative committee called the Board on Government Operations (BOGO) by Chapter 228, Laws of 1959. BOGO's functions were transferred to the Joint Committee on Finance by Chapter 39, Laws of 1975.

Joint Committee on INFORMATION POLICY AND TECHNOLOGY

Members: Inactive.

Statutory Reference: Section 13.58.

Agency Responsibility: The Joint Committee on Information Policy and Technology reviews information management practices of state and local units of government to ensure economic and efficient service, maintain data security and integrity, and protect the privacy of individuals who are subjects of the databases. It studies the effects of proposals by the state to expand existing

information technology or implement new technologies. With concurrence of the Joint Committee on Finance, it may direct the Department of Administration to report on any information technology system project that could cost \$1 million or more in the current or succeeding biennium. The committee may direct the Department of Administration to prepare reports or conduct studies and may make recommendations to the governor, the legislature, state agencies, or local governments based on this information. The committee is composed of 3 majority and 2 minority party members from each house of the legislature. It was created by 1991 Wisconsin Act 317 and its membership was revised by 1999 Wisconsin Act 9.

Joint LEGISLATIVE AUDIT COMMITTEE

Members: SENATOR ROESSLER, REPRESENTATIVE JESKEWITZ, *cochairpersons*; SENATOR S. FITZGERALD, REPRESENTATIVE KAUFERT (joint finance committee *cochairpersons*); SENATORS COWLES; MILLER*, LASSA; REPRESENTATIVES KERKMAN; TRAVIS*, CULLEN.

Mailing Addresses: Senator Roessler, Room 8 South, State Capitol, P.O. Box 7882, Madison 53707-7882; Representative Jeskewitz, Room 314 North, State Capitol, P.O. Box 8952, Madison 53708-8952.

Telephones: Senator Roessler, 266-5300; Representative Jeskewitz, 266-3796.

E-mail: sen.roessler@legis.state.wi.us; rep.jeskewitz@legis.state.wi.us

Statutory Reference: Section 13.53.

Agency Responsibility: The Joint Legislative Audit Committee, which was created by Chapter 224, Laws of 1975, advises the Legislative Audit Bureau, subject to general supervision of the Joint Committee on Legislative Organization. Its members include the *cochairpersons* of the Joint Committee on Finance, plus 2 majority and 2 minority party members from each house of the legislature. The committee evaluates candidates for the office of state auditor and makes recommendations to the Joint Committee on Legislative Organization, which selects the auditor.

The committee may direct the state auditor to undertake specific audits and review requests for special audits from individual legislators or standing committees, but no legislator or standing committee may interfere with the auditor in the conduct of an audit.

The committee reviews each report of the Legislative Audit Bureau and then confers with the state auditor, other legislative committees, and the audited agencies on the report's findings. It may propose corrective action and direct that followup reports be submitted to it.

The committee may hold hearings on audit reports, ask the Joint Committee on Legislative Organization to investigate any matter within the scope of the audit, and request investigation of any matter relative to the fiscal and performance responsibilities of a state agency. If an audit report cites financial deficiencies, the head of the agency must report to the Joint Legislative Audit Committee on remedial actions taken. Should the agency head fail to report, the committee may refer the matter to the Joint Committee on Legislative Organization and the appropriate standing committees.

When the committee determines that legislative action is needed, it may refer the necessary information to the legislature or a standing committee. It can also request information from a committee on action taken or seek advice of a standing committee on program portions of an audit. The committee may introduce legislation to address issues covered in audit reports.



Members of the Legislature sometimes invite outside experts to inform them on a particular issue. In this photo, members of the Senate Republican leadership hear from a Colorado authority discussing TABOR, the taxpayer bill of rights. (Richard G. B. Hanson II, Senate Photographer)

JOINT LEGISLATIVE COUNCIL

Members: SENATOR A. LASEE (senate president), REPRESENTATIVE WIECKERT (designated by assembly speaker), *cochairpersons*; SENATORS ZIEN (president pro tempore), SCHULTZ (majority leader), ROBSON (minority leader), S. FITZGERALD (cochairperson, Joint Committee on Finance), DECKER (ranking minority member, Joint Committee on Finance), BROWN, GROTHMAN, KAPANKE, MILLER, RISSER; REPRESENTATIVES GARD (assembly speaker), FREESE (speaker pro tempore), HUEBSCH (majority leader), KREUSER (minority leader), KAUFERT (cochairperson, Joint Committee on Finance), POCAN (ranking minority member, Joint Committee on Finance), AINSWORTH, NISCHKE, SCHNEIDER, TRAVIS. (Members designated by title serve *ex officio*.)

Director of Legislative Council Staff: TERRY C. ANDERSON, terry.anderson@legis.state.wi.us

Deputy Director: LAURA D. ROSE, laura.rose@legis.state.wi.us

Legislative Council Rules Clearinghouse: RONALD SKLANSKY, *director*, ronald.sklansky@legis.state.wi.us; RICHARD SWEET, *assistant director*, richard.sweet@legis.state.wi.us

Mailing Address: P.O. Box 2536, Madison 53701-2536.

Location: 1 East Main Street, Suite 401, Madison.

Telephone: 266-1304.

Fax: 266-3830.

Internet Address: <http://www.legis.state.wi.us/lc>

Publications: General Report of the Joint Legislative Council to the Legislature; State Agency Staff Members With Responsibilities Related to the Legislature; Wisconsin Legislator Briefing Book; Directory of Joint Legislative Council Committees; rules clearinghouse reports; staff briefs; information memoranda on substantive issues considered by council committees; staff memoranda; amendment and act memoranda.

Number of Employees: 35.17.

Total Budget 2003-05: \$6,945,000.

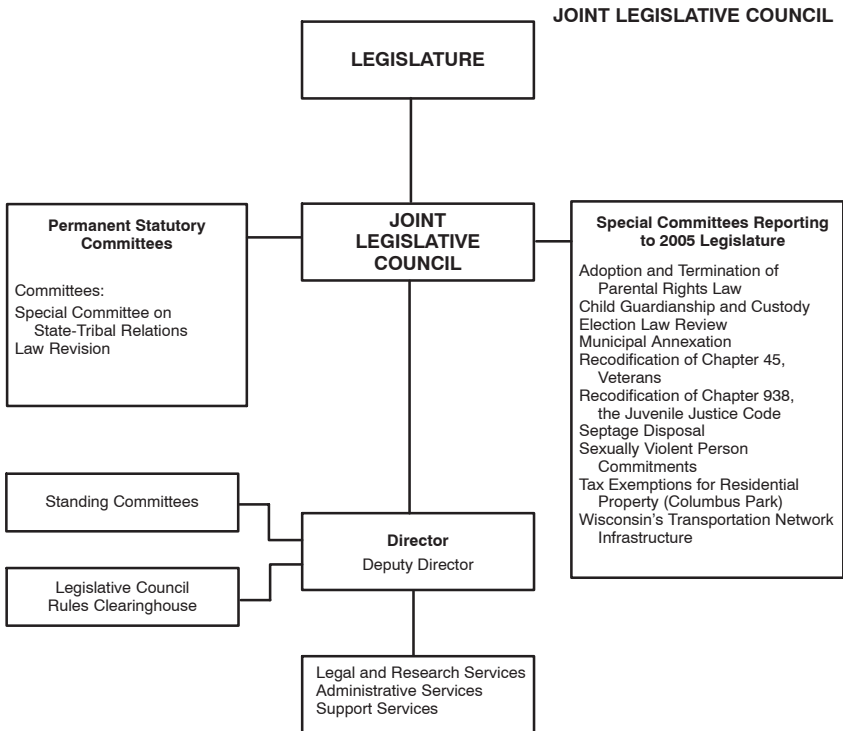
Statutory References: Sections 13.81-13.83, 13.91, and 227.15.

Agency Responsibility: The Joint Legislative Council creates special committees made up of legislators and interested citizens to study various problems of state and local government. Study topics are selected from requests presented to the council by law, joint resolution, individual legislators, and others. After research and public hearings, the study committees draft proposals and submit them to the council, which must approve those drafts it wants introduced in the legislature as council bills.

The council is assisted in its work by the Legislative Council Staff, a bureau created in Section 13.91, Wisconsin Statutes. The staff also provides legal counsel and scientific and policy research assistance to all of the legislature’s substantive standing committees and joint statutory committees (except the Joint Committee on Finance) and assists individual legislators on request. The staff operates the rules clearinghouse to review proposed administrative rules and assists standing committees in their oversight of rulemaking.

By law, the Legislative Council Staff must be “strictly nonpartisan” and must observe the confidential nature of the research and drafting requests received by it. The law requires that state agencies and local governmental units cooperate fully with the council staff in its carrying out of its statutory duties.

Organization: The council consists of 22 legislators. The majority of them serve *ex officio*, and the remainder are appointed as are members of standing committees. The president of the senate and the speaker of the assembly serve as cochairpersons of the council, but each may designate another member to assume that office. The council operates two permanent statutory committees and various special committees appointed to study selected subjects. The Legislative Council Staff director is appointed from outside the classified service by the Joint Committee on Legislative Organization, and the director makes staff appointments from outside the service.



History: Chapter 444, Laws of 1947, created the council to conduct interim studies on subjects affecting the general welfare of the state. The first council was organized later that year with 12 members. In 1967, the council began to appoint staff members to provide legal counsel and technical assistance to legislative standing committees. The 1979 executive budget (Chapter 34) assigned the administrative rules clearinghouse function to the council. 1993 Wisconsin Act 52 made a number of reorganizational changes. The act renamed the council the Joint Legislative Council and designated the president of the senate and the speaker of the assembly (or their designees) cochairpersons. Under Act 52, the council was directed to reorganize at the beginning of the biennial session, instead of May 1 of the odd-numbered year, and its support agency was officially named the Legislative Council Staff.

PERMANENT STATUTORY COMMITTEES

Special Committee on State-Tribal Relations

Members: REPRESENTATIVE MUSSER, *chairperson*; SENATORS BROWN, COGGS, ZIEN; REPRESENTATIVES BIES, McCORMICK, PETTIS, SHERMAN; DONNA LYNK (Bad River Band of Lake Superior Tribe of Chippewa Indians), LOUIS TAYLOR (Lac Courte Oreilles Band of Lake Superior Chippewa Indians), CAROL BROWN (Lac du Flambeau Band of Lake Superior Chippewa Indians), MARK MONTANO (Red Cliff Band of Lake Superior Chippewas), HOWARD J. BICHLER (St. Croix Band of Chippewa Indians), JON F. GREENDEER (Ho-Chunk Nation), GARY BESAW (Menominee Indian Tribe of Wisconsin), VINCE DELA ROSA (Oneida Tribe of Indians of Wisconsin), JOHN ALLOWAY (Forest County Potawatomi Community), DOUGLAS HUCK (Stockbridge-Munsee Community, Mohican Nation).

The Special Committee on State-Tribal Relations is appointed by the Joint Legislative Council each biennium to study issues related to American Indians and the Indian tribes and bands in this state and develop specific recommendations and legislative proposals relating to such issues. Legislative membership includes not fewer than 6 nor more than 12 members with at least one member of the majority and the minority party from each house. The council appoints no fewer than 6 and no more than 11 members from names submitted by federally recognized Wisconsin Indian tribes or bands or the Great Lakes Inter-Tribal Council. The council may not appoint more than one member recommended by any one tribe or band or the Great Lakes Inter-Tribal Council. Chapter 39, Laws of 1975, created the committee as the American Indian Study Committee, and 1999 Wisconsin Act 60 renamed it and revised the membership. The committee's composition and duties are prescribed in Section 13.83 (3) of the statutes.

... Technical Advisory Committee

Members: JIM WEBER (Department of Health and Family Services), MAURA WHELAN (Department of Justice), MICHAEL LUTZ (Department of Natural Resources), J.P. LEARY (Department of Public Instruction), TOM OURADA (Department of Revenue), REGGIE NEWSON (Department of Transportation), RACHELLE ASHLEY (Department of Workforce Development).

Under Section 13.83 (3) (f), Wisconsin Statutes, as created by Chapter 39, Laws of 1975, the Technical Advisory Committee, consisting of representatives of 7 major executive agencies, assists the Special Committee on State-Tribal Relations.

Law Revision Committee

Members: SENATOR GROTHMAN, REPRESENTATIVE SUDER, *cochairpersons*; SENATORS CARPENTER, KEDZIE, RISSER; REPRESENTATIVE HUBLER.

The Law Revision Committee is appointed each biennium by the Joint Legislative Council. The membership of the committee is not specified, but it must include majority and minority party representation from each house. The committee reviews minor nonsubstantive remedial changes to the statutes as proposed by state agencies, in attorney general's opinions, or in court decisions declaring a Wisconsin statute unconstitutional, ambiguous, or otherwise in need of revision. It considers proposals by the Revisor of Statutes to correct statutory language and session laws that conflict or need revision, and it may submit recommendations for major law revision projects to the Joint Legislative Council. It serves as the repository for interstate compacts and agreements and makes recommendations to the legislature regarding revision of such agreements. The com-

mittee was created by Chapter 204, Laws of 1979, and its composition and duties are prescribed in Section 13.83 (1) of the statutes.

SPECIAL COMMITTEES REPORTING IN 2005

Special Committee on Adoption and Termination of Parental Rights Law

Members: REPRESENTATIVE JESKEWITZ, *chairperson*; SENATORS PLALE, REYNOLDS; REPRESENTATIVES KESTELL, SINICKI; SUSAN DREYFUS, JOSEPH EHMANN, CHRISTOPHER R. FOLEY, STEPHEN W. HAYES, PATRICK KENNEY, MARY JANE PROFT, JODI TIMMERMAN.

The special committee is directed to study current law relating to adoption and termination of parental rights (TPR) to determine whether modifications should be made to encourage adoptions in Wisconsin and to make the adoption and TPR processes more efficient and more cost effective. The committee shall consider creating a state tax credit for adoption expenses. The committee shall also study TPR and adoption in the context of the child welfare system to ensure compliance with federal law and to ensure that permanency is achieved for children as quickly as possible.

Special Committee on Child Guardianship and Custody

Members: SENATOR A. LASEE, *chairperson*; SENATOR JAUCH; REPRESENTATIVES ALBERS, NASS, NISCHKE, WOOD, ZIEGELBAUER; ROSEMARY ALBRECHT, THOMAS P. DONEGAN, SANDRA CARDO GORSUCH, MARY KASPAREK, BETTY KLUG, PATTI SEGER.

The special committee is directed to examine current state laws regarding guardianship of minors, the rights and responsibilities of guardians, and to develop proposed legislation to clarify and improve current guardianship laws. The committee will also review the provisions of the Uniform Child Custody Jurisdiction and Enforcement Act which has been proposed by the National Conference of Commissioners on Uniform State Laws, and determine whether the state should replace the 1968 Uniform Child Custody Jurisdiction Act with the Uniform Child Custody Jurisdiction and Enforcement Act.



Representatives Mark Gundrum (left) and Mark Pettis offer testimony on pending legislation before a committee. (Jay Salvo, Assembly Photographer)

Special Committee on Election Law Review

Members: SENATOR LEIBHAM, *chairperson*; SENATOR ERPENBACH; REPRESENTATIVES FREESE, SCHNEIDER, WIECKERT; MARILYN K. BHEND, JOYCE BUECHEL, JANICE DUNN, CINDI HESSE, KEVIN J. KENNEDY, KATHY NICKOLAUS, JAMES TROUPIS, MIKE WITTENWYLER.

The special committee is directed to examine the election process and the administration of elections in the state, other than campaign financing law. The special committee shall specifically examine the implementation of the federal Help America Vote Act of 2002, state oversight of elections in Wisconsin, and the recount process. The special committee may also examine other election-related issues such as voter registration and identification, new technologies for voting, the adequacy of staffing at polling places, and the adequacy of training received by poll workers.

Special Committee on Municipal Annexation

Members: SENATOR A. LASEE, *chairperson*; SENATOR BROWN; REPRESENTATIVES GOTTLIEB, KAUFERT, KERKMAN, ZEPNICK; ROGER W. CLARK, GERALD DERR, CHRISTINE JONES, PAT KASTER, WARREN P. KRAFT, J. MICHAEL MOONEY, MIKE PARMENTIER.

The special committee is directed to review conflicts that arise under current annexation law and practice and the consequences of those conflicts, including costs to taxpayers and other affected parties; and to determine if there is consensus on the means to reduce annexation disputes and encourage more boundary cooperation between towns and cities or villages, and to make related recommendations.

Special Committee on Recodification of Chapter 45, Veterans

Members: REPRESENTATIVE TOWNSEND, *chairperson*; SENATORS BRESKE, BROWN, S. FITZGERALD; REPRESENTATIVES KRAWCZYK, LOEFFELHOLZ, MUSSER, SCHNEIDER; KENNETH BROWN, ANTHONY HARDIE, JOHN O'BRIEN, LARRY OLSON, TIM THIERS, KENNETH WENDT.

The special committee is directed to conduct a recodification of Chapter 45, Wisconsin Statutes, relating to veterans, to include reorganizing the chapter in a logical manner, renumbering and retitling sections, consolidating related provisions, modernizing language, resolving ambiguities in language, making other necessary organizational changes, and making minor substantive changes.

Special Committee on Recodification of Chapter 938, the Juvenile Justice Code

Members: REPRESENTATIVE SUDER, *chairperson*; SENATORS JAUCH, ZIEN; REPRESENTATIVES BIES, KERKMAN, OWENS, SCHNEIDER; DAVID L. BOROWSKI, DON GARBER, GINA PRUSKI, TOM SCHLEITWILER.

The special committee is directed to conduct a study of the recodification of Chapter 938, Wisconsin Statutes, relating to the Juvenile Justice Code, to include a study of the possible reorganization of certain parts of the chapter to fit in a logical manner with the rest of the chapter, renumbering and retitling of certain sections and subsections, consolidating related provisions, modernizing language, resolving ambiguities in language, codifying court decisions, and making minor substantive changes.

Special Committee on Septage Disposal

Members: REPRESENTATIVE AINSWORTH, *chairperson*; SENATORS JAUCH, KEDZIE; REPRESENTATIVES OTT, STEINBRINK; SANDRA BEGALKE, BERNARD DEFLORIAN, RANDY RENON, WALLY THOM.

The special committee is directed to examine the current capacity and future need for disposal of septage that is pumped from septic tanks and holding tanks, to review the laws related to this subject, and to develop proposed legislation that will assure protection of public health and the environment, as well as the availability of disposal options for future population and business growth.



Floor debate is one point in the legislative process when the minority party can make its viewpoint known. Here Assistant Minority Leader Dave Hansen (seated) discusses strategy with Senator Jon Erpenbach. (Richard G. B. Hanson II, Senate Photographer)

Special Committee on Sexually Violent Person Commitments

Members: SENATOR DARLING, *chairperson*; SENATORS LAZICH, PLAILE; REPRESENTATIVES GUNDRUM, STASKUNAS, STONE; REBECCA DALLET, MIKE NOFZINGER, RICHARD J. SANKOVITZ, SALLY TESS.

The special committee is directed to study current law relating to the commitment, periodic reexamination, supervised release, and discharge of sexually violent persons.

Special Committee on Tax Exemptions for Residential Property (Columbus Park)

Members: REPRESENTATIVE J. FITZGERALD, *chairperson*; SENATORS LASSA, STEPP; REPRESENTATIVES BERCEAU, GOTTLIEB, NISCHKE, VUKMIR; GREGG HAGOPIAN, PAUL HOFFMAN, ROBERT JONES, FREDERIC E. MOHS, TIMOTHY J. RADELET, MARY REAVEY, FRITZ RUF, JOHN SAUER, EARL R. THAYER.

The special committee is directed to study issues surrounding the property tax exemption for property leased as residential housing, including: 1) the impact of *Columbus Park Housing v. City of Kenosha*, 267 Wis. 2d 59 (2003), on the exemption; 2) the effect of the exemption on municipalities, property taxpayers, residents of tax-exempt housing, the availability of financing for development of low-income housing, and benevolent activities of tax-exempt organizations; and 3) any other issues the committee considers relevant. The committee shall develop and recommend legislation relating to these issues as it finds appropriate.

Special Committee on Wisconsin's Transportation Network Infrastructure

Members: SENATOR KANAVAS, *chairperson*; SENATORS LEIBHAM, RISSER; REPRESENTATIVES LEMAHIEU, STONE, TOWNSEND, VAN ROY, ZEPNICK; BOB COOK, GEOFF CROWLEY, GEORGE GROSSARDT, JOHN KREILKAMP, PAUL OLSEN, JEROME THIELE, PETER J. THILLMAN, TOM WALKER.

The special committee is directed to examine Wisconsin's transportation network infrastructure, especially the infrastructure for the transportation modes of railroads, seaports, and air, to determine ways to improve these facilities; to encourage intermodal forms of transportation; and to encourage regional cooperation among Midwestern states in improving freight and passenger transportation to increase efficiency and to alleviate highway congestion.

Joint Committee on LEGISLATIVE ORGANIZATION

Members: SENATOR A. LASEE (senate president), REPRESENTATIVE GARD (assembly speaker), *cochairpersons*; SENATORS SCHULTZ (majority leader), ROBSON (minority leader), KEDZIE (assistant majority leader), HANSEN (assistant minority leader); REPRESENTATIVES HUEBSCH (majority leader), KREUSER (minority leader), J. FITZGERALD (assistant majority leader), RICHARDS (assistant minority leader).

Mailing Address: Legislative Council Staff, P.O. Box 2536, Madison 53701-2536.

Location: 1 East Main Street, Suite 401, Madison.

Telephone: 266-1304.

Statutory References: Sections 13.80 and 13.90.

Agency Responsibility: The Joint Committee on Legislative Organization is the policy-making body for the legislative service bureaus: the Legislative Audit Bureau, the Legislative Fiscal Bureau, the Legislative Reference Bureau, the Legislative Technology Services Bureau, and the Revisor of Statutes Bureau. In this capacity, it assigns tasks to each bureau, approves bureau budgets, and sets the salary of bureau heads. The joint committee selects the five bureau heads, but it acts on the recommendation of the Joint Legislative Audit Committee when appointing the state auditor. The joint committee also selects the director of the Legislative Council Staff.

The committee may inquire into misconduct by members and employees of the legislature. It oversees a variety of operations, including computer use, space allocation for legislative offices and legislative service agencies, parking on the State Capitol Park grounds, and sale and distribution of legislative documents. The joint committee recommends which newspaper should serve as the official state newspaper for publication of state legal notices. It advises the Ethics Board on its operations and, upon recommendation of the Joint Legislative Audit Committee, may investigate any problems the Legislative Audit Bureau finds during its audits. The committee may employ outside consultants to study ways to improve legislative staff services and organization.

Organization: The 10-member joint committee is a permanent body, consisting of the presiding officers and party leadership of both houses. The committee has established a Subcommittee on Legislative Services to advise it on text processing and other matters. The Legislative Council Staff provides staff assistance to the committee.

History: The joint committee was created by Chapter 149, Laws of 1963, as part of a legislative reorganization proposed by the Committee on Legislative Organization and Procedure under the authority of Chapter 686, Laws of 1961. The 1963 law also transferred the Legislative Reference

Bureau and the Statutory Revision Bureau to the legislative branch and placed them under the supervision of the joint committee. The three other service agencies were placed under the committee's authority by later legislation: the Legislative Audit Bureau in Chapter 659, Laws of 1965; the Legislative Fiscal Bureau in Chapter 215, Laws of 1971; and the Legislative Technology Services Bureau in 1997 Wisconsin Act 27.

In 1966, the joint committee was empowered to investigate misconduct by legislators and legislative staff. Actions by subsequent legislatures expanded the joint committee's supervision of legislative operations to include legislative office space, legislative computer operations, and publication of notices and documents.

Joint Survey Committee on RETIREMENT SYSTEMS

Members: SENATOR GROTHMAN, REPRESENTATIVE VRAKAS, *cochairpersons*; SENATORS STEPP; WIRCH; REPRESENTATIVES JESKEWITZ; HUBLER; JANE HAMBLEN (assistant attorney general appointed by attorney general), *secretary*; DAVID STELLA (designated by secretary of employee trust funds), JORGE GOMEZ (insurance commissioner); MICHAEL R. LUTTIG (public member appointed by governor).

Research Director: vacancy.

Mailing Address: Risser Justice Center, P.O. Box 8952, Madison 53708-8952.

Telephone: 267-0507.

Publications: A summary compilation of the committee's reports is issued at the end of each legislative session.

Number of Employees: 3.00.

Total Budget 2003-05: \$365,200.

Statutory Reference: Section 13.50.

Agency Responsibility: The Joint Survey Committee on Retirement Systems makes recommendations on all legislation that affects retirement and pension plans for public officers and employees, and its recommendations must be attached as an appendix to each retirement bill. Neither house of the legislature may consider such a bill until the joint survey committee submits a written report that describes the proposal's purpose, probable costs, actuarial effect, and desirability as a matter of public policy.

Organization: The 10-member joint survey committee includes majority and minority party representation from each legislative house. An experienced actuary from the Office of the Commissioner of Insurance may be designated to serve in the commissioner's place on the committee. The public member cannot be a participant in any public retirement system in the state and is expected to "represent the interests of the taxpayers". Appointed members serve 4-year terms unless they lose the status upon which the appointment was based. The joint survey committee is authorized to employ a research director and staff under the classified service to assist it in developing its reports.

RETIREMENT RESEARCH COMMITTEE

Members: All members of the Joint Survey Committee on Retirement Systems including the same officers; vacancy (designated by director of the office of state human resources management); vacancy (representing state, county, and municipal employees); vacancy (representing State Teachers Retirement System); vacancy (representing Milwaukee Teachers Annuity and Retirement Fund); 3 vacancies (public members); vacancy (chief executive or member of governing body of a participating local government); vacancy (annuitant member serving on the Employee Trust Funds Board). (All, except *ex officio* members, are appointed by governor.)

Mailing Address: Risser Justice Center, P.O. Box 8952, Madison 53708-8952.

Telephone: 267-0507.

Publications: *Staff Report 83: 2000 Comparative Study of Major Public Employee Retirement Systems.*

Statutory Reference: Section 13.51.

Agency Responsibility: The Retirement Research Committee, originally named the Retirement Research Council, was created as a permanent study group by Chapter 375, Laws of 1959. The principal duty of the 19-member committee is to conduct an ongoing review of state retirement benefits and retirement programs. All administrators of public employee pension or retirement plans to which the state contributes must submit financial reports to the committee. The committee investigates and reports to the legislature on the status of public employee retirement systems. It also maintains a library of public employee pension and retirement plans from throughout the United States.

Organization: The officers and staff of the Joint Survey Committee on Retirement Systems serve the same functions for the Retirement Research Committee. Employee/employer representatives and public members are appointed for 4-year terms, unless they lose the status upon which the appointment is based.

Joint Legislative STATE SUPPORTED PROGRAMS STUDY AND ADVISORY COMMITTEE

Members: Inactive.

Statutory Reference: Section 13.47.

Agency Responsibility: Members of the Joint Legislative State Supported Programs Study and Advisory Committee visit and inspect the State Capitol and all institutions and office buildings



Senate Majority Leader Dale Schultz (left) and Speaker pro tempore of the Assembly Stephen Freese (right) hosted Minister President Roland Koch of the German state of Hessen in May 2005. (Jay Salvo, Assembly Photographer)



President pro tempore of the Senate David Zien (right) works with Senator Tim Carpenter in the Senate Chamber. (Richard G. B. Hanson II, Senate Photographer)

owned or leased by the state. They are granted free and full access to all parts of the buildings, the surrounding grounds, and all persons associated with the buildings. The committee may also examine any institution, program, or organization that receives direct or indirect state financial support.

Organization: The committee consists of 5 senators and 6 representatives. Members appointed from each house must represent the two major political parties, and one legislator from each house must also be a member of the State of Wisconsin Building Commission. Assistance to the committee is provided by the Legislative Council Staff.

History: The use of a legislative committee to visit and supervise the use of state institutions and property dates back to 1881. The current joint committee was created by Chapter 266, Laws of 1973. It replaced the Committee to Visit State Properties, which had combined the functions of the Committee to Visit State Institutions, created in 1947 to inspect state property and state institutions, and the Committee on Physical Plant Maintenance, created in 1957 to manage the State Capitol and the single state office building then in existence.

Joint Survey Committee on TAX EXEMPTIONS

Members: SENATOR HARSDORF, REPRESENTATIVE MONTGOMERY, *cochairpersons*; SENATORS KANAVAS, JAUCH*; REPRESENTATIVES HAHN, HUBLER*; MICHAEL MORGAN (secretary of revenue); F. THOMAS CREERON (Department of Justice representative appointed by attorney general); KATHRYN DUNN (public member appointed by governor).

Mailing Address: Legislative Council Staff, P.O. Box 2536, Madison 53701-2536.

Telephone: 266-1304.

Statutory Reference: Section 13.52.

Agency Responsibility: The Joint Survey Committee on Tax Exemptions, created by Chapter 153, Laws of 1963, considers all legislation related to the exemption of persons or property from state or local taxes. It is assisted by the Legislative Council Staff.

Any legislative proposal that affects tax exemptions must be referred to the committee immediately upon introduction. Budget bills containing tax exemptions are referred simultaneously to the joint survey committee and the Joint Committee on Finance. The joint survey committee must report within 60 days on the tax exemptions contained within a budget bill. Neither house of the legislature may consider tax exemption proposals until the joint survey committee has issued its report, attached as an appendix to the bill, describing the proposal's legality, desirability as public policy, and fiscal effect. In the course of its review, the committee is authorized to conduct investigations, hold hearings, and subpoena witnesses.

Organization: The 9-member committee includes representation from each house of the legislature with 2 members from the majority party and one from the minority party. The public member must be familiar with the tax problems of local government. Members' terms expire on January 15 of odd-numbered years.

TRANSPORTATION PROJECTS COMMISSION

Members: GOVERNOR DOYLE, *chairperson*; SENATORS KEDZIE, A. LASEE, LEIBHAM, BRESKE, vacancy; REPRESENTATIVES AINSWORTH, MONTGOMERY, VRUWINK, 2 vacancies; LEE MEYERHOFER, MICHAEL RYAN, LEONARD SOB CZAK (citizen members appointed by governor). Nonvoting member: FRANK BUSALACCHI (secretary of transportation).

Commission Secretary: BARBARA JUREWICZ, barbara.jurewicz@dot.state.wi.us

Mailing Address: P.O. Box 7913, Madison 53707-7913.

Location: Hill Farms State Transportation Building, 4802 Sheboygan Avenue, Room 901, Madison.

Telephone: 266-5408.

Fax: 267-1856.

Statutory Reference: Section 13.489.

Agency Responsibility: The Transportation Projects Commission, created by 1983 Wisconsin Act 27, includes representation from each house of the legislature with 3 members from the majority party and 2 from the minority party. The commission reviews Department of Transportation recommendations for major highway projects. The department must report its recommendations to the commission by September 15 of each even-numbered year, and the commission, in turn, reports its recommendations to the governor or governor-elect, the legislature, and the Joint Committee on Finance before December 15 of each even-numbered year. The department must also provide the commission with a status report on major transportation projects every 6 months. The commission also approves the preparation of environmental impact or assessment statements for potential major highway projects.

Commission on UNIFORM STATE LAWS

Members: JOANNE HUELSMAN, *chairperson*; REPRESENTATIVE CULLEN, *vice chairperson*; BRUCE MUNSON (revisor of statutes), *secretary*; SENATOR RISSER; REPRESENTATIVE GUNDRUM; PETER J. DYKMAN (designated by chief, Legislative Reference Bureau); vacancy (designated by director, Legislative Council Staff); ANN WALSH BRADLEY, WALTER KELLY (public members appointed by governor).

Mailing Address: 131 West Wilson Street, Suite 800, Madison 53703-3261.

Telephone: 266-2011.

Fax: 264-6978.

Statutory Reference: Section 13.55.

Agency Responsibility: The Commission on Uniform State Laws advises the legislature on uniform laws and model laws. It examines subjects on which interstate uniformity is desirable and the best methods for achieving it, cooperates with the National Conference of Commissioners on Uniform State Laws in preparing uniform acts, and prepares bills adapting the uniform acts to Wisconsin. The commission reports biennially to the Law Revision Committee of the Joint Legislative Council.

Organization: The commission consists of 9 members, including 2 public members appointed by the governor for 4-year terms. Legislative members serve 2-year terms, must represent the 2 major political parties, and must be state bar association members. A legislative seat that cannot be filled by a bar member may be filled by a former legislator.

History: The commission was originally created by Chapter 83, Laws of 1893, which authorized the governor to appoint 3 members to serve as the Commissioners for the Promotion of Uniformity of Legislation in the United States. In 1931, Chapter 67 designated the Revisor of Statutes as the sole Wisconsin commissioner. Chapter 173, Laws of 1941, added the chief of the Legislative Reference Library as a commissioner. The commission was created in its present form by Chapter 312, Laws of 1957, and its membership was expanded to include 2 members of the State Bar appointed by the governor. Chapter 135, Laws of 1959, added the director (then called the executive secretary) of the Legislative Council Staff as a member. Chapter 294, Laws of 1979, added 4 legislative members and deleted the requirement that public members appointed by the governor be members of the State Bar. 2003 Wisconsin Act 2 added a requirement that legislative members must be state bar association members.

LEGISLATIVE SERVICE AGENCIES

LEGISLATIVE AUDIT BUREAU

State Auditor: JANICE L. MUELLER, janice.mueller@

Deputy State Auditor: JACOB KLAM, jacob.klam@

Special Assistant to the State Auditor: JOE CHRISMAN, james.chrisman@

Audit Directors: DIANN L. ALLSEN, diann.allsen@; DON BEZRUKI, don.bezruki@; JULIE GORDON, julie.gordon@; BRYAN NAAB, bryan.naab@; PAUL STUIBER, paul.stuiber@; KATE WADE, kate.wade@

Mailing Address: 22 East Mifflin Street, Suite 500, Madison 53703-2512.

Telephone: 266-2818.

Fax: 267-0410.

Internet Address: <http://www.legis.state.wi.us/lab>

E-mail Address: Leg.Audit.Info@legis.state.wi.us

Address e-mail by combining the user ID and the state extender: userid@legis.state.wi.us

Publications: Audit reports of individual state agencies and programs; biennial reports.

Number of Employees: 86.80.

Total Budget 2003-05: \$13,036,900.

Statutory Reference: Section 13.94.

Agency Responsibility: The Legislative Audit Bureau is responsible for conducting financial and program audits to assist the legislature in its oversight function. The bureau performs financial audits to determine whether agencies have conducted and reported their financial transactions legally and properly. It undertakes program audits to analyze whether agencies have managed their programs efficiently and effectively and have carried out the policies prescribed by law.

The bureau's authority extends to executive, legislative, and judicial agencies; authorities created by the legislature; special districts or zones; and certain service providers that receive state funds. The bureau may audit any county, city, village, town, or school district at the request of the Joint Legislative Audit Committee.

The bureau audits and reports on the financial transactions and records of every state agency at least once every 5 years. Agencies or funds audited more frequently include the State of Wisconsin Investment Board, the Department of Employee Trust Funds, State Fair Park, the state lottery, and various state insurance funds. In addition, the bureau provides an annual audit opinion on the state's comprehensive financial statements, which are prepared by the Department of Administration.

Typically, the bureau's program audits are conducted at the request of the Joint Legislative Audit Committee, initiated by bureau staff, or required by legislation. The reports are reviewed by the Joint Legislative Audit Committee, which may hold hearings on them and may introduce legislation in response to audit recommendations.

Organization: The director of the bureau is the State Auditor, who is appointed by the Joint Committee on Legislative Organization upon the recommendation of the Joint Legislative Audit Committee. Both the State Auditor and the bureau's staff are appointed from outside the classified service.

History: The bureau was created as a legislative service agency under the jurisdiction of the Joint Committee on Legislative Organization by Chapter 659, Laws of 1965. It replaced the Department of State Audit, which was created by Chapter 9, Laws of 1947, as an executive agency.



For many students, their first interest in government is awakened by a class trip to the Capitol. These trips often include a visit with a legislator representing their district, in this case Senator Robert Cowles, to provide a deeper understanding of the workings of state government, and the citizen's role in it. (Richard G. B. Hanson II, Senate Photographer)

Statutory Advisory Council

Municipal Best Practices Reviews Advisory Council: CRAIG KNUTSON, MORT MCBAIN (representing the Wisconsin Counties Association); DANIEL ELSASS (representing the League of Wisconsin Municipalities); EDWARD HUCK (representing the Wisconsin Alliance of Cities); vacancy (representing the Wisconsin Towns Association). (All are appointed by the State Auditor.)

The 5-member Municipal Best Practices Reviews Advisory Council advises the State Auditor on the selection of county and municipal service delivery practices to be reviewed by the State Auditor. The auditor is required to conduct periodic reviews of procedures and practices used by local governments in the delivery of governmental services; identify variations in costs and effectiveness of such services between counties and municipalities; and recommend practices to save money or provide more effective service delivery. Council members are chosen from candidates submitted by the organizations represented. The council was created by 1999 Wisconsin Act 9 in Section 13.94 (8), Wisconsin Statutes, and succeeds the council created by 1995 Wisconsin Act 27.

LEGISLATIVE COUNCIL STAFF, see pp. 285-87

LEGISLATIVE FISCAL BUREAU

Director: ROBERT WM. LANG.

Assistant Director: TERRY A. RHODES.

Program Supervisors: FRED AMMERMAN, JERE BAUER, DARYL HINZ, DAVID LOPPNOW, TONY MASON, CHARLES MORGAN, ROB REINHARDT.

Administrative Assistant: VICKI HOLTEN.

Mailing Address: 1 East Main Street, Suite 301, Madison 53703.

Telephone: 266-3847.

Fax: 267-6873.

Internet Address: www.legis.state.wi.us/lfb

E-mail Address: fiscal.bureau@legis.state.wi.us

Publications: Biennial budget and budget adjustment: summaries of state agency budget requests; cumulative and comparative summaries of the governor's proposals, Joint Committee on Finance provisions and legislative amendments, and separate summaries of legislative amendments when necessary; summary of governor's partial vetoes. Informational reports, budget issue papers on various state programs, and revenue estimates. (Reports and papers available on the Internet or upon request.)

Number of Employees: 35.00.

Total Budget 2003-05: \$6,883,000.

Statutory Reference: Section 13.95.

Agency Responsibility: The Legislative Fiscal Bureau develops fiscal information for the legislature, and its services must be impartial and nonpartisan. One of the bureau's principal duties is to staff the Joint Committee on Finance and assist its members. As part of this responsibility, the bureau studies the state budget and its long-range implications, reviews state revenues and expenditures, and suggests alternatives to the committee and the legislature. In addition, the bureau provides information on all other bills before the joint committee and analyzes agency requests for new positions and appropriation supplements outside of the budget process.

The bureau provides fiscal information to any legislative committee or legislator upon request. On its own initiative, or at legislative direction, the bureau may conduct studies of any financial issue affecting the state. To aid the bureau in performing its duties, the director or designated employees are granted access, with or without notice, to all state departments and to any records maintained by the agencies relating to their expenditures, revenues, operations, and structure.



The Legislature depends on legislative service agencies to provide its members with expert assistance. Bob Lang, Director of the Legislative Fiscal Bureau, explains the fiscal implications of a proposal to Representative Dean Kaufert, cochairperson of the Joint Committee on Finance, and Speaker John Gard. (Jay Salvo, Assembly Photographer)

Organization: The Joint Committee on Legislative Organization is the policy-making body for the Legislative Fiscal Bureau, and it selects the bureau's director. The director is assisted by an assistant director and program supervisors responsible for broadly defined subject areas of government budgeting and fiscal operations. The director and all bureau staff are chosen outside the classified service.

History: The bureau was created by Chapter 154, Laws of 1969. It evolved from the legislative improvement study that was initiated by Chapter 686, Laws of 1961, using a Ford Foundation grant and state funding. Through the improvement program, the legislature developed its own fiscal staff, known as the Legislative Budget Staff, under the supervision of the Legislative Programs Study Committee. In February 1968, the study committee renamed the budget staff the Legislative Fiscal Bureau and specified its functions. Chapter 215, Laws of 1971, transferred responsibility for the bureau's supervision to the Joint Committee on Legislative Organization.

LEGISLATIVE REFERENCE BUREAU

Chief: STEPHEN R. MILLER, 267-2175, steve.miller@legis.state.wi.us

General Counsel: PETER J. DYKMAN, 266-7098, peter.dykman@legis.state.wi.us

Administrative Services: CATHELENE HANAMAN, *manager*, 267-9810, cathlene.hanaman@legis.state.wi.us

Information and Research Services: LAWRENCE S. BARISH, *research manager*, 266-0344, larry.barish@legis.state.wi.us

Legal Services: PETER R. GRANT, DEBORA A. KENNEDY, JEFFREY T. KUESEL, REBECCA C. TRADEWELL, *managing attorneys*.

Library Services: MARIAN G. ROGERS, *managing librarian*, 266-2824, marian.rogers@legis.state.wi.us

Mailing Address: P.O. Box 2037, Madison 53701-2037.

Location: 1 East Main Street, Suite 200.

Telephones: Legal: 266-3561; Research: 266-0341; Library Circulation: 266-7040.

Fax: Legal: 264-6948; Research and Library: 266-5648.

Internet Address: <http://www.legis.state.wi.us/lrb>

Publications: *Wisconsin Blue Book*; informational reports on various subjects; *Selective List of Recent Acquisitions*; various sections of the *Bulletin of the Proceedings of the Wisconsin Legislature*. (All informational reports and the *Blue Book* are also available on the Internet.)

Number of Employees: 58.00.

Total Budget 2003-05: \$10,607,600.

Statutory Reference: Section 13.92.

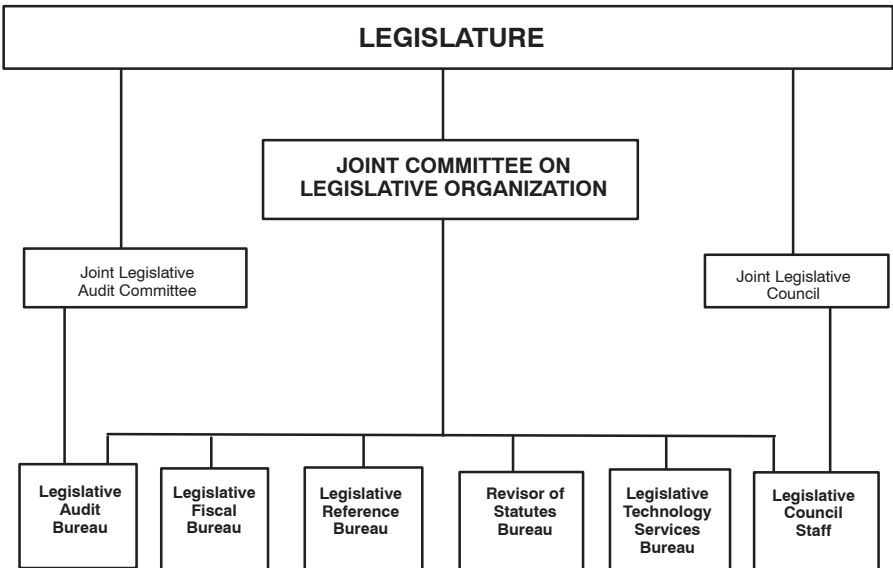
Agency Responsibility: The Legislative Reference Bureau provides nonpartisan, professional, confidential bill drafting, research, and library services to the legislature. Although it is primarily a legislative service agency, the bureau also serves public officials, students of government, and citizens.

By statute, the bureau is responsible for drafting all legislative proposals and amendments for introduction in the legislature. Legislative attorneys also prepare plain language analyses that are printed with all bills and most resolutions. A significant portion of the work of the legislative attorneys involves the drafting of the state’s biennial budget.

The bureau enrolls the final text of all bills that have passed both houses prior to their submission for the governor’s action. The bureau is also responsible for publishing each act, and, in consultation with the Revisor of Statutes, produces the bound volumes of all session laws enacted during the biennial legislative session.

The reference and library sections collect and make available a broad range of information to aid legislators and other government officials in the performance of their duties. The reference section publishes reports on subjects of legislative concern and, in the odd-numbered years, it publishes the 1,000-page *Wisconsin Blue Book*, the official almanac of Wisconsin government. The reference desk responds to inquiries about the work of the legislature and state government in general. The bureau also offers seminars on legislative procedure to students and civic groups.

LEGISLATIVE SERVICE AGENCIES





Representative Jennifer Shilling addresses her colleagues from the floor of the Assembly. In keeping with the Assembly's "paperless" policy, members access documents being debated with laptop computers. (Jay Salvo, Assembly Photographer)

The Dr. H. Rupert Theobald Legislative Library contains the bureau's extensive collection of material pertaining to government and public policy issues. The library staff prepares the *Index to the Bulletin of the Proceedings of the Wisconsin Legislature* which includes a subject index to legislation, authors indexes, and subject indexes to legislative journals, administrative rules, and Wisconsin acts.

State law requires the bureau to maintain the drafting records of all legislation introduced and to use those records to provide information on legislative intent. Drafting records, beginning with the 1927 session, are available to the public as part of the bureau's noncirculating reference collection.

Organization: The Joint Committee on Legislative Organization is the policy-making body for the bureau, and it selects the bureau chief. The bureau chief and staff members are appointed from outside the classified service.

History: The bureau was created in 1901 by Chapter 168 as the Legislative Reference Library under the governance of the Free Library Commission. It represented the first organized effort in the nation to provide a state legislature with professional staff assistance. Bill drafting responsibilities were officially assigned in 1907 by Chapter 508, although this service actually had been performed earlier. Editing of the *Wisconsin Blue Book* was added to the agency's duties in 1929 (Chapter 194). Chapter 149, Laws of 1963, renamed the agency the Legislative Reference Bureau and placed it under the direction of the Joint Committee on Legislative Organization.

LEGISLATIVE TECHNOLOGY SERVICES BUREAU

Director: MARSHA HENFER.

Mailing Address: 17 South Fairchild Street, Suite 400, Madison 53703-3219.

Telephone: 264-8582.

Fax: 267-6763.

Internet Address: <http://www.legis.state.wi.us/ltsb>

Publications: *Wisconsin Legislative Strategic Technology Plan*.

Number of Employees: 43.00.

Total Budget 2003-05: \$6,776,800.

Statutory Reference: Section 13.96.

Agency Responsibility: The Legislative Technology Services Bureau is responsible for providing information technology support to both legislators and legislative agencies. It also coordinates the planning and execution of electronic information programs and services as needed. The bureau's services must be nonpartisan, and it must protect the confidentiality of the information originated, maintained, and processed by the electronic equipment it supports.

The bureau develops and supports the specialized programs used for bill drafting, production of the *Wisconsin Statutes* and *Administrative Code*, and publication of the *Wisconsin Blue Book*. In addition, it supports the publication of legislative documents including bills and amendments, house journals, daily calendars, and the Bulletin of the Proceedings. It maintains and implements improvements in the computer networks that allow legislative offices and service agencies to exchange information electronically and work together. The bureau inventories the legislature's computer hardware and software and oversees technology replacement schedules. It also provides mapping and redistricting services following each decennial U.S. Census, develops database services that allow legislators to serve their constituents more efficiently, delivers audio and video services, session support, manages the technology for the legislature's Internet site, and offers training services for legislators and staff in the use of information technology. The bureau's duties include maintenance of the legislature's payroll and accounting system, consultation on equipment and procedures for legislative administration, legislative office management, and on-line publication and communication.

Organization: The Joint Committee on Legislative Organization is the policy-making body for the bureau. It selects the director and is specifically responsible for reviewing and approving all information technology proposals. The director appoints bureau staff. Both the director and the staff serve outside the classified service.

History: The bureau was statutorily created by 1997 Wisconsin Act 27 as the Integrated Legislative Information Staff and was renamed by 1997 Wisconsin Act 237.

REVISOR OF STATUTES BUREAU

Revisor of Statutes: BRUCE MUNSON, 267-3536, bruce.munson@legis.state.wi.us

Deputy Revisor and Assistant Revisor, Statutes: BRUCE J. HOESLY, 266-7590,
bruce.hoesly@legis.state.wi.us

Assistant Revisor, Administrative Code: GARY L. POULSON, 266-7275,
gary.poulson@legis.state.wi.us

Mailing Address: 131 West Wilson Street, Suite 800, Madison 53703-3261.

Telephone: 266-2011.

Fax: 264-6978.

Internet Address: <http://www.legis.state.wi.us/rsb>

Publications: Wisconsin Statutes and Annotations; Wisconsin Administrative Code and Register; Wisconsin Town Law Forms; *WisLaw*® on CD-ROM.

Number of Employees: 10.00.

Total Budget 2003-05: \$1,681,200.

Statutory Reference: Section 13.93.

Agency Responsibility: The Revisor of Statutes Bureau edits, annotates, and publishes the Wisconsin Statutes and Annotations, prepares revision and corrections bills, edits and publishes

the Wisconsin Administrative Code and Register, and performs related law publishing and advisory functions.

The bureau incorporates newly enacted laws into the existing statutes, thereby updating the state's statutory code. The statutes are published every two years when the legislature completes its session. The bureau also releases quarterly updated versions of the statutes on *WisLaw*®, its CD-ROM periodical, and on its Internet site.

The bureau prepares revisor's corrections bills to correct errors or resolve conflicts arising from the enactment of laws. It reviews attorney general's opinions, federal district and appellate court decisions, and state appellate or supreme court decisions that declare a Wisconsin statute or session law to be ambiguous, in conflict with other laws, anachronistic, unconstitutional, or otherwise in need of revision. These findings are reported to the Joint Legislative Council's Law Revision Committee. The revisor also systematically examines the statutes and session laws for similar defects and proposes revision bills to the Law Revision Committee.

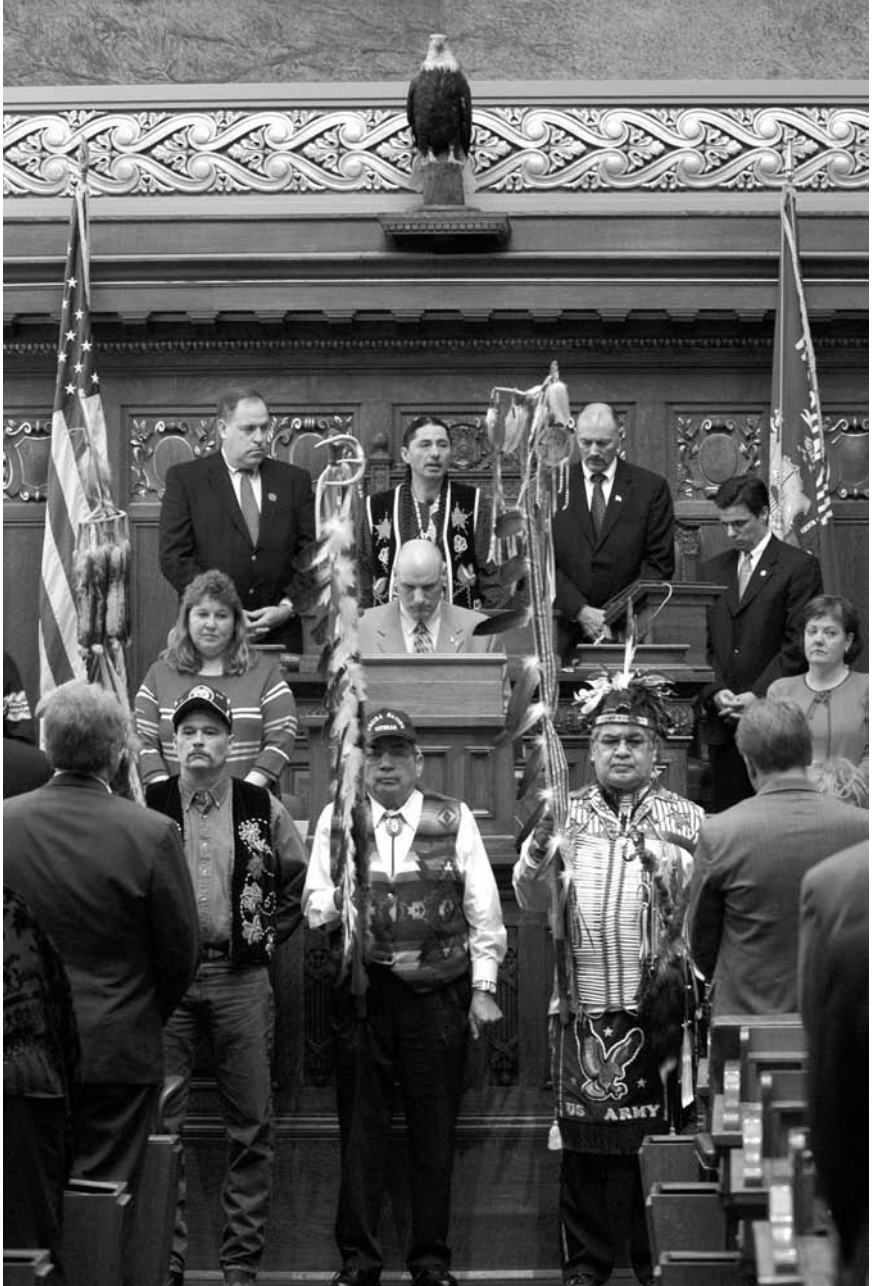
The bureau edits and publishes the Wisconsin Administrative Code and the semimonthly Wisconsin Administrative Register, which contains rule hearing and publication notices and summaries of emergency rules. It also prepares the Wisconsin Town Law Forms distributed to town officials to aid them in administering town government. These publications are also published on *WisLaw*® and the bureau's Internet site.

Organization: The Joint Committee on Legislative Organization is the policy-making body for the bureau and appoints the revisor. The revisor and all bureau staff are members of the classified service.

History: Wisconsin was the first state to adopt a plan for continuous revision of its statutes when Chapter 546, Laws of 1909, provided for a Revisor of Statutes to be appointed by the trustees of the state library. The editing and distribution of the Wisconsin Administrative Code and Register were added to the revisor's duties in 1955, but the responsibility for sale and distribution of these documents was transferred in 1963 to the Department of Administration. Chapter 149, Laws of 1963, moved the revisor to the legislative branch by creating the Statutory Revision Bureau under the supervision of the Joint Committee on Legislative Organization. A 1965 law renamed the bureau the Revisor of Statutes Bureau.



Senator Dale Schultz meets with the press informally at the rostrum of the Assembly Chamber immediately following a joint session featuring an address by the governor. (Richard G. B. Hanson II, Senate Photographer)



Ray DePerry, President of the Great Lakes Inter-Tribal Council, delivered an historic Tribal State of the State address in the Assembly Chamber on March 8, 2005. The speech was preceded by an Indian Color Guard and a prayer (above) offered by Leon Vallierre-Ozaawaagosh of the Lac du Flambeau Ojibwe Language Program. (Richard G. B. Hanson II, Senate Photographer)

**SUMMARY OF SIGNIFICANT LEGISLATION
ENACTED BY THE 2003 LEGISLATURE**

This section highlights significant legislation enacted by the 2003 Wisconsin Legislature in the biennial session that began January 6, 2003, and concluded January 3, 2005. The legislation summarized here is categorized by subject matter. In some cases, an individual act is described under a single subject heading, but when an act affects more than one area of state law, such as 2003 Wisconsin Act 33 (the budget act), significant provisions are separately described under the appropriate subject headings. The section concludes with a summary of major proposals that failed to be enacted or adopted.

The regular session of the 2003 Legislature was organized into the following floorperiods:

January 6, 2003	April 29-May 8, 2003	January 20-February 5, 2004
January 28-30, 2003	May 28-June 27, 2003	February 24-March 11, 2004
February 18-20, 2003	September 23-October 2, 2003	April 27-29, 2004
March 11-20, 2003	November 4-13, 2003	May 11-12, 2004

The following table summarizes activity in recent legislative sessions:

	Legislative Session				
	1995-96	1997-98	1999-2000	2001-02	2003-04
Total Drafting Requests	13,631	11,908	9,774	10,192	9,560
Bills Introduced	1,781	1,521	1,503	1,440	1,568
Assembly Bills	1,103	979	973	941	998
Senate Bills	678	542	530	499	570
Acts	469	338	198	109	327
Percentage of Bills Enacted	26.3%	22.2%	13.2%	7.6%	20.9%
Bills Totally Vetoed	4	3	5	0	54
Bills Partially Vetoed	21	8	10	3	10

SIGNIFICANT 2003-2004 LEGISLATION

Administrative Law

Act 118 (AB-655) makes various changes relating to administrative rules.

The act:

- Allows five or more persons, a municipality, or an association that represents a farm, labor, business, or professional group, to petition the Department of Administration (DOA) to require the Department of Agriculture, Trade and Consumer Protection (DATCP), the Department of Natural Resources (DNR), the Department of Transportation (DOT), the Department of Workforce Development (DWD), or the Department of Commerce, to prepare an economic impact report regarding proposed rules from their agencies.
- Requires an agency to prepare an economic impact report if a proposed rule will cost \$20 million during the first five years or would adversely affect the economy, productivity, competition, jobs, environment, public health or safety, or government.
- Requires an economic impact report to include the effect of a proposed rule on businesses and the state economy, an analysis of the problem the proposed rule is intended to solve, and costs and benefits of the proposed rule.
- Requires DOA to ensure that an economic impact report complies with state law.
- Requires the analysis of a proposed rule to include a summary and comparison of any federal regulation of the same activity, data and findings used to support the proposed rule, documentation supporting its effect on small businesses, and compliance costs incurred by the private sector.

- Requires the report that is currently sent to the legislature to include the public comments and the agency's response to those comments.
- Allows a hearing examiner to award costs and attorney fees if an administrative hearing claim or defense is frivolous.
- Requires an administrative hearing involving a petitioner who is not a Wisconsin resident to be held in the county where the property involved is located or in the county where the dispute arose.



Legislative bodies elect leaders from among their membership to facilitate smooth operation and communication. On the left is John Gard, the Speaker of the Assembly, who controls the agenda on behalf of the majority party. On the right is Jim Kreuser, the Minority Leader, who is the voice of the minority party. In the center is Stephen Freese, the Speaker pro tempore of the Assembly, who often presides over floor sessions. (Brent Nicastro, Assembly Photographer)

Agriculture

Act 235 (AB-868) regulates the siting and expansion of livestock facilities by generally allowing local governments to disapprove a proposal to site or expand a livestock facility only if:

- The site is zoned and the zoning prohibits the proposed livestock facility.
- The livestock facility violates one of the standards that DATCP adopts under the act and either will have more than 500 animal units (500 beef cattle or other livestock that produces animal waste approximately equivalent to that produced by 500 beef cattle) or will be of a size for which the local government required a conditional use permit before the act took effect.
- The livestock facility will have more than 500 animal units or will be of a size requiring a conditional use permit, and the livestock facility will violate a local ordinance that is more stringent than DATCP's standards and that is necessary to protect public health or safety.

The act also prohibits a local government from restricting the size of livestock facilities in an agricultural zoning district unless it also has a zoning district permitting livestock facilities without regard to size and requires a local government to demonstrate that any ban of livestock facilities in an agricultural zoning district is necessary to protect public health or safety.

The act generally requires a political subdivision to approve or disapprove a proposal for siting or expanding a livestock facility within 90 days and creates the Livestock Facility Siting Review Board to review certain decisions on siting or expansion.

Children

Act 279 (*SB-207*) requires a member of the clergy who has a reasonable belief that a child seen in the course of professional duties has been sexually abused or threatened with sexual abuse or that a member of the clergy has sexually abused a child or threatened a child with sexual abuse to report that abuse, unless the information was obtained in a confidential setting.

Courts and Civil Actions

Act 279 (*SB-207*):

- Requires a member of the clergy to report to the proper authorities if he or she reasonably believes that a child seen in the course of professional duties has been sexually abused or threatened with sexual abuse or that another member of the clergy has sexually abused or threatened to sexually abuse a child, unless the information was obtained in a confidential setting.
- Allows a person who is injured because of sexual contact with a member of the clergy when the person is less than 18 years of age to bring an action against that member of the clergy and to bring an action against the religious organization that employed the member of the clergy if the clergy member's supervisor knew or should have known that the member of the clergy previously had sexual contact with a person under the age of 18, failed to report that sexual contact, and failed to exercise ordinary care to prevent similar incidents.
- Prohibits any settlement of a claim for sexual abuse of a child by a member of the clergy that limits the rights of an injured person to disclose the sexual contact to certain persons, including the district attorney and a therapist.
- Allows a person to bring an action for damages resulting from sexual contact while the person was under the age of 18 at any time before the injured party reaches the age of 35 years.

Crime and Criminal Procedure

Act 36 (*AB-288*) changes the crime of identity theft by:

- Making the offense applicable to more types of personal identification documents and personal identifying information.
- Applying the prohibition on identity theft to documents or information relating to a deceased individual.
- Expanding the scope of the prohibition to cover harm to the reputation, property, or person of the victim; harm to a deceased person's estate; and efforts to avoid delivery of a court paper or penalty.
- Allowing the deception element to be proven with evidence that the defendant falsely represented that the document or information involved was his or her own.
- Treating the unauthorized use of a private or government entity's identifying documents or information the same way as the unauthorized use of an individual's identifying documents or information.
- Specifying that a person may be prosecuted and punished for identity theft, regardless of where the crime occurred, if the victim is a Wisconsin resident or is located in Wisconsin, and allowing an identity theft case to be brought in the county in which the victim resides.
- Making it a crime for a person to engage in certain deceptive activities relating to the person's identity in connection with a transaction with a financial institution.
- Permitting more frequent use of hearsay and telephonic or televised testimony at preliminary hearings in identity theft cases.

Discrimination

Act 23 (*SB-24*) provides an exception to the public accommodations law to permit a fitness center to limit the use of its facilities and services to persons of the same sex.

Domestic Relations

Act 130 (*AB-279*) creates a rebuttable presumption in a custody proceeding against awarding legal custody of a child to a parent who engaged in domestic abuse. This presumption supersedes the presumption that joint legal custody is in the child's best interest. The presumption created by this act may be rebutted only by a preponderance of evidence that the parent has successfully completed a certified treatment program for batterers and that it is in the child's best interest for the parent to be awarded legal custody. If the court awards periods of physical placement with a child to a parent who has engaged in domestic abuse, the court must provide for the safety of the child and the victim of the abuse by imposing specified conditions. The act also requires that a guardian ad litem in a custody proceeding investigate whether either parent engaged in domestic abuse, that any required mediation intake form ask whether either parent engaged in domestic abuse, and that both guardians ad litem and mediators have training on domestic violence.

Education

Act 33 (*SB-44*) makes the following changes to the laws governing primary and secondary education:

- Eliminates the requirement that the state pay two-thirds of school district costs.
- Eliminates the requirement that the Department of Public Instruction (DPI) develop, and that school boards and charter schools adopt and administer, a high school graduation test.

Act 155 (*AB-847*) requires each private school participating in the Milwaukee Parental Choice Program (MPCP) to submit to DPI evidence of sound fiscal practices and of financial viability, a copy of the school's certificate of occupancy, and proof that the private school's administrator has participated in a fiscal management training program. The act also authorizes DPI to bar a private school from continuing to participate in the program if the school misrepresents required information, violates various notice requirements, fails to refund overpayments to the state, or fails to meet certain standards. DPI may also ban participation if it finds that conditions at the school present an imminent threat to the health or safety of pupils.

Act 207 (*AB-169*) requires a public library, upon request, to disclose to the custodial parent or guardian of a child under the age of 16 all library records relating to the child's use of the library's materials or services.

Elections

Act 24 (*AB-112*) changes the date of the presidential preference primary to the third Tuesday in February.

Employment

Act 63 (*AB-2*) grants a wage claim lien (which gives an employee to whom unpaid wages are owed, or DWD on behalf of the employee, a claim on the employer's property for those unpaid wages) priority over a prior lien of a commercial lending institution as to the first \$3,000 of unpaid wages covered under the lien that were earned within the six months preceding the date on which the employee filed the wage claim. The act also excludes from coverage under the wage claim lien law independent contractors; managerial, executive, and commissioned sales employees; and employees who are privy to confidential matters involving the employer-employee relationship.

Environment

Act 118 (*AB-655*) makes the following changes in the laws related to air quality management:

- Requires DNR, before DNR may adopt an emission standard for a hazardous air contaminant, to find that residents are exposed to unsafe levels of the contaminant or will be so exposed unless an emission standard is adopted and that DNR's proposed method for compliance with the emission standard is the most cost-effective method practicable.

- Provides for legislative committee review of proposed federal Clean Air Act implementation plans and designations of areas that do not comply with federal air quality requirements.
- Requires DNR to adopt administrative requirements that are consistent with federal Environmental Protection Agency (EPA) administrative requirements when EPA adopts a new source performance standard or an emission standard for a hazardous air contaminant.
- Requires DNR to simplify and expedite the process under which it authorizes the construction, operation, or both, of sources of air pollution with low emissions of air pollutants.
- Requires DNR to authorize the start of construction of a source of air pollution before issuance of a construction permit to avoid undue hardship.
- Requires DNR to exempt minor sources of air pollution from the requirement to obtain air pollution permits if emissions from the sources do not present a significant hazard to public health, safety, or welfare or to the environment.
- Limits the time within which DNR must act on applications for air pollution permits, requires DNR to refund application fees when its action is not timely, and requires reports concerning the reasons for delays in issuing permits and how future delays will be avoided.

Act 310 (AB-926) increases the regulation of high capacity wells, which are wells that have the capacity to withdraw more than 100,000 gallons a day. Under the act, DNR may only grant permits for certain high capacity wells if the permits contain conditions to ensure that the wells will not cause significant environmental impacts. Wells that are subject to this provision are those located near trout streams and wild and scenic rivers, those that may have a significant impact on a spring that usually has a flow of at least one cubic foot per second, and those with a water loss of more than 95 percent. The act also requires DNR to administer a program to mitigate the effects of preexisting wells that are located near trout streams and wild and scenic rivers.

Under Act 310, DNR must designate two groundwater management areas, one in and around Brown County and one in and around Waukesha County, where groundwater levels in wells have



Minority Leader Judith Biros Robson confers with Senator Fred Risser on the Senate Floor. (Richard G. B. Hanson II, Senate Photographer)

been reduced by 150 feet or more. The act requires DNR to assist local governments in groundwater management areas by providing advice, incentives, and funding for research and planning related to groundwater management.

Financial Institutions

Act 63 (AB-2) relaxes eligibility requirements for membership in a credit union; expands the ability of credit unions to invest in credit union service organizations; expands a credit union's authority to act as a trustee, custodian, or depository of funds; permits credit unions to sell insurance products; expands the authority of a Wisconsin credit union to establish branch offices inside or outside of Wisconsin and of a non-Wisconsin credit union to establish branch offices in Wisconsin; removes certain limitations on mergers and acquisitions of credit unions; includes confidentiality requirements for certain regulators of credit unions; authorizes certain actions by credit union boards of directors without a meeting; changes certain requirements relating to credit union reserve accounts and credit union examinations; and exempts credit unions from certain statutory provisions from which other financial institutions are exempt.

The act also allows a state savings bank, state savings and loan association, or state bank to become certified by the Department of Financial Institutions as a universal bank. A universal bank retains its status as a savings and loan association, savings bank, or state bank and generally remains subject to existing regulatory and supervisory requirements, but has additional powers as a universal bank. The act allows a universal bank to engage in any activity authorized for any state savings bank, state savings and loan association, or state bank. The act also generally permits a universal bank to exercise all powers that may be exercised directly by certain federal financial institutions; to exercise lending powers similar to those of state banks; to purchase, sell, and underwrite certain investment securities and equity securities and to invest in certain properties and projects; to pledge its assets as security for deposits; to exercise the same trust powers that trust company banks may exercise; to securitize its assets for sale to the public; to exercise all powers necessary or convenient to effect the purposes for which the universal bank is organized or to further the businesses in which the universal bank is lawfully engaged; and to engage in activities that are reasonably related to the purposes of the universal bank.

Finally, the act provides that subordinate liens held by a state or local government unit (such as tax liens) no longer have priority over other subordinate security interests and liens and may be discharged by the disposition of the collateral to the same extent as other subordinate liens.

Act 294 (AB-755) enacts the Uniform Electronic Transactions Act (UETA) in Wisconsin. Generally, UETA facilitates certain electronic transactions by validating the provision and use of electronic records and electronic signatures. Under former law, a combination of state and federal laws (most significantly, the federal law commonly known as "E-Sign") governed the use of electronic records, transactions, and signatures in Wisconsin. The act:

- Specifies that if the parties to a transaction agree to conduct the transaction electronically a document or signature may not be denied legal effect solely because it is electronic.
- Provides that if the parties to a transaction agree to conduct the transaction electronically and if a law requires a party to provide information in writing to another person, a party may generally satisfy the requirement by providing the information in an electronic document.
- Permits electronic notarization or verification of a signature or document relating to a transaction if the notary's or verifier's electronic signature is accompanied by all other information required by law.
- Validates contracts formed in automated transactions by the interaction of automated agents of the parties or by the interaction of one party's automated agent and an individual.
- Generally permits a person to satisfy any law that requires retention of a document by retaining an electronic document, if the retained information satisfies certain requirements relating to accuracy and accessibility.

- Permits a person to submit in electronic format, if the governmental unit consents, any document that is required by law to be submitted in writing to a governmental unit and that requires a written signature.
- Provides that a document or signature may not be excluded as evidence solely because it is in electronic form.

The act does not cover certain types of electronic transactions, records, and notices, such as those relating to wills and trusts, cancellation of health insurance, product recalls, and hazardous material transportation.

Local Law

Act 31 (*AB-378*) modifies public utility aid payments so that, for production plants that begin operation after December 31, 2003, counties and municipalities receive public utility aid payments based on the megawatt capacity of the production plants located in the county or municipality, rather than on the production plant's net book value, as determined by the Public Service Commission (PSC).

Natural Resources

Act 118 (*AB-655*) makes the following changes to the laws under which DNR regulates navigable waters such as the placement of piers and bridges and the removal of material from river and lake beds. The act:

- Requires DNR to issue statewide general permits as legislative rules for certain structures and activities that required individual permits under prior law. An individual permit is one that authorizes one specific structure or activity and every application for such a permit is subject to the public notice and hearing requirements described below. A general permit is one that applies to a class of structures or activities but a person seeking to act under a general permit must notify DNR. The general permitting process is exempt from the notice and hearing requirements.
- Restricts the types of conditions that DNR may impose on general permits to construction and design requirements, location requirements to ensure that navigation is not interfered with and riparian rights of adjacent riparian owners are not adversely affected, and restrictions to protect areas that have special natural resource interest. Under prior law, DNR could impose conditions that were reasonably necessary to prevent pollution or to protect public or riparian rights in navigable waters.
- Exempts certain structures and activities from the permitting process.
- Allows persons to seek a determination from DNR as to whether a proposed structure or activity is exempt. If DNR does not act within 15 days of the request for the determination, the structure or activity is generally exempt from the permitting process.
- Allows DNR to require compliance with individual or general permitting requirements for a structure or activity that would otherwise be exempt if the structure or activity will cause pollution, will adversely impact public rights and interests, or will cause material injury to riparian rights.
- Gives DNR specific inspection authority for exemption determinations and approvals to proceed under general permits.
- Requires DNR to issue a statewide general permit for the grading and removal of topsoil from areas of less than 10,000 square feet from a bank of a navigable water. Under prior law, an individual permit was required.
- Expands the types of structures and activities in navigable waters that the legislature may directly authorize. If not directly authorized by the legislature, a person must comply with the DNR permitting process.
- Revises the application, public notice, and hearing procedures for obtaining an individual permit from DNR and the procedure for obtaining administrative review of permit decisions issued by DNR.

- Expands the exemption for placement of boathouses to include certain boathouses that are used exclusively for commercial purposes.

Act 240 (*AB-519*) regulates the feeding of deer by:

- Prohibiting the feeding of deer in a county if any of the county is a chronic wasting disease control zone, if a positive test for chronic wasting disease or bovine tuberculosis has been confirmed after December 31, 1997, in the county, or if a portion of the county is within a 10-mile radius of a location of an animal that was positive for chronic wasting disease or bovine tuberculosis.
- Allowing a person to feed deer for viewing purposes in other counties if the feeding site is within 50 yards of the person's home or public business, is not closer than 100 yards to a roadway with a speed limit of 45 miles per hour or more, contains no more than two gallons of material, and if the feeding material does not contain animal parts or by-products.
- Allowing a person to feed deer for hunting during any deer hunting season in counties or parts of counties not subject to chronic wasting disease control and if no more than two gallons of material are at a site, sites are at least 100 yards apart, no more than two gallons of material are placed in any area comprising 40 acres or less, and the feeding material does not contain animal parts or by-products.

Occupational Regulation

Act 150 (*AB-403*) adopts the Uniform Athlete Agents Act, which requires agents for student athletes to register with the Department of Regulation and Licensing and regulates contracts and other aspects of the relationship between agents and student athletes. The act also allows a civil action against an agent who damages the educational institution when violating the act.

Public Utilities

Act 48 (*AB-61*) requires the PSC to reimburse wireless telecommunications providers and local governments for certain costs related to providing wireless 911 telephone service. The reimbursements, which are funded by a surcharge paid by wireless customers, are limited to reimbursing wireless providers for costs incurred in complying with Federal Communications Commission orders that require wireless providers to identify the location of callers who make wireless 911 calls. Only one wireless 911 emergency system in each county may be reimbursed.

Act 89 (*SB-300*) changes the requirements for approving proposals for electric transmission lines, electric generating facilities, and natural gas pipelines by, among other things, creating procedures for the PSC and DNR to coordinate review of such proposals; simplifying the procedure for the PSC to review proposed electric transmission lines that use existing transmission corridors; requiring the PSC, DNR, and DOT to rank the types of transmission corridors that may be used for siting new electric transmission lines; requiring the PSC to consider whether a proposal will use abandoned, idle, or underused commercial or industrial sites; and allowing local governments that receive distributions funded by environmental impact fees for new electric transmission lines to use the distributions for any purpose approved by the PSC.

Act 152 (*AB-843*) allows natural gas and electric utilities to finance pollution control costs for existing facilities by issuing bonds that will be repaid from customers' utility fees. The utility may assign the right to collect the fees to a third party, which would repay the bonds so that the debt associated with bonds is not the debt of the utility. The act protects the third party's interest in the fees if the utility becomes bankrupt or insolvent.

Act 278 (*SB-272*) generally restricts a municipality that offers cable television, telecommunications, or broadband Internet service from offering the service unless it performs a cost-benefit analysis and holds a public hearing on the ordinance or resolution authorizing the service. These requirements do not apply to certain municipalities that the PSC previously has certified as alternative telecommunications utilities. Such municipalities may offer the service if the voters of the municipality approve an advisory referendum that supports the service. In addition, the requirements do not apply to a municipality that was providing cable television service on March 1, 2004. Also, the requirements do not apply to the following: 1) broadband Internet service offered in an area if the municipality determines that the area has no current or planned broadband Internet ser-



The majority and minority leaders have the primary responsibility for carrying out their party's agenda on the floor. Majority Leader Michael Huebsch (left) and Minority Leader James Kreuser meet in the Assembly Chamber. (Jay Salvo, Assembly Photographer)

vice available; and 2) wholesale broadband Internet service if the municipality does not compete with more than one other provider of such service. Finally, the act generally prohibits municipalities that provide cable television service from requiring nonsubscribers to pay for the service, and the act generally requires municipal telecommunications utilities to set rates based on certain costs that apply to private sector telecommunications utilities.

Taxation

Act 37 (SB-197) requires a corporation that does business both inside and outside Wisconsin to apportion its income, for income tax and franchise tax purposes, using an apportionment fraction composed of a single sales factor, rather than an apportionment fraction composed of a sales factor representing 50 percent of the fraction and a property factor and payroll factor each representing 25 percent of the fraction.

Act 255 (SB-261) creates income and franchise tax credits for investments in businesses that have their headquarters and the majority of their employees in Wisconsin, that have been operating for fewer than seven years, and that are engaged in manufacturing, agriculture, or processing products or developing new products or processes.

Transportation

Blood Alcohol Levels

Act 30 (AB-88) changes the prohibited alcohol concentration for a person who operates a motor vehicle, all-terrain vehicle, snowmobile, or a boat, from 0.1 to 0.08. A first-time violator who has an alcohol concentration between 0.08 and 0.1 does not have to pay certain court costs or submit to an alcohol assessment and may have his or her record purged of the conviction after 10 years, if he or she does not reoffend within that time.

Driving Privileges

Act 33 (SB-44) implements parts of the federal USA Patriot Act of 2001 by imposing certain requirements on DOT's issuance of commercial driver license (CDL) "H" endorsements, which

authorize the operation of vehicles transporting hazardous materials for which federal law requires placarding, or any quantity of a material listed as a select agent or toxin under federal law. Under the act, DOT may not issue or renew an “H” endorsement unless the applicant has submitted documentary proof of the applicant’s U.S. citizenship or legal presence in the U.S. and the federal Transportation Security Administration (TSA) in the Department of Homeland Security has notified DOT that the applicant does not pose a security threat. An “H” endorsement is valid for four years, after which it may be renewed if the licensee passes a security threat screening by the TSA. DOT must obtain certain information on the application form for an “H” endorsement, including the applicant’s criminal history, and forward it to the TSA. A licensee holding an “H” endorsement must notify DOT within 24 hours if he or she is convicted of certain criminal offenses.

Act 280 (SB-350) requires DOT to conduct a background investigation, including a criminal history search, of each applicant for issuance or renewal of a school bus endorsement to a driver’s license and to record the date on which DOT finished the investigation. DOT must also make a good-faith effort to obtain out-of-state criminal history information for an applicant who has not resided in Wisconsin within the past two years. The act expands the list of crimes that disqualify a person from obtaining or renewing a school bus endorsement, changes disqualification periods, and allows disqualification for adjudication of delinquency as well as conviction. The act also authorizes DOT to specify additional disqualifying crimes and offenses and the time period during which the disqualification applies. Under the act, DOT also may not issue or renew a school bus endorsement to someone who identifies himself or herself as a person listed on the abuse registry maintained by the Department of Health and Family Services. Although a school bus endorsement continues to be renewed every eight years, DOT must conduct a criminal history search every four years and, if appropriate, cancel the endorsement. The act also requires similar criminal background checks of residents of Iowa, Illinois, Michigan, or Minnesota who are licensed to drive a school bus in those states if they drive a school bus in Wisconsin without a DOT school bus endorsement.

Funding

Act 33 (SB-44) allows DOT to use general obligation bonds to finance certain highway projects. Under former law, major highway projects, southeast Wisconsin freeway rehabilitation projects, and state highway rehabilitation projects could be funded with general obligation bond proceeds only if DOT’s estimates of federal highway funding were at least 5 percent below the anticipated levels and the Joint Committee on Finance approved a DOT plan for using the proceeds. The act allows general obligation bond proceeds to be used to fund, and allocates general obligation bond proceeds for expenditure obligations for, southeast Wisconsin freeway rehabilitation projects and state highway rehabilitation projects, without regard to federal funding levels. The act also increases from \$140 million to \$1 billion the amount of general obligation bond debt that may be incurred to fund these highway projects.

Act 33 (SB-44) transfers \$175 million from the transportation fund to the general fund.

Act 64 (AB-602) decreases the authorized limit on general obligation bonds that may be issued for major highway projects, southeast Wisconsin freeway rehabilitation projects, and state highway rehabilitation projects from \$1 billion to \$565,480,400. The act also requires that, beginning on July 1, 2005, debt service on these bonds be paid from the general fund rather than the transportation fund.

MAJOR PROPOSALS THAT FAILED ENACTMENT OR ADOPTION

Beverages

Assembly Bill 335 would have allowed an underage person to possess, consume, or be provided alcohol beverages while accompanied by a parent, guardian, or spouse of legal drinking age only if the underage person is at least 18 years of age.

Business and Consumer Law

Assembly Bill 898 and *Senate Bill 486* would have regulated rental-purchase transactions.

Constitutional Amendments

Assembly Joint Resolution 55 and *Senate Joint Resolution 56* would have required voter approval for certain state and local taxing, spending, and bonding decisions; limited use of emergency taxes by the state; and required budget reserves, refund of amounts in excess of approved amounts, and the reduction of tax rates to reflect the excess of revenues over expenditures.

Crime and Criminal Procedure

Assembly Bills 40 and 444 and *Senate Bill 214* would have permitted persons to carry concealed weapons under certain circumstances.

Discrimination

Assembly Bill 41 and *Senate Bill 58* would have permitted an educational agency to refuse to employ or to terminate from employment an unpardoned felon, whether or not the circumstances of the felony substantially relate to the circumstances of the particular job.

Assembly Bill 67 would have expanded the definition of employment discrimination based on creed to include discriminating against an employee for refusing to participate in certain acts, such as sterilizations; abortions; certain procedures involving in vitro human embryos or fetal tissue; withholding or withdrawing nutrition or hydration under specified circumstances; or euthanasia.

Domestic Relations

Assembly Bill 475 would have defined marriage as a civil contract between one man and one woman, creating the legal status of husband and wife.

Education

Assembly Bill 126 would have directed the Legislative Audit Bureau to study the Milwaukee Parental Choice Program.

Assembly Bills 259, 260, and 472 and *Senate Bills 219 and 221* would have extended the Milwaukee Parental Choice Program to additional pupils or private schools.

Assembly Bills 261, 503, and 746 and *Senate Bills 220, 253, and 382* would have expanded eligibility to attend independent charter schools or authorized additional independent charter schools.

Assembly Bills 836 and 847 and *Senate Bills 363 and 406* would have required criminal background checks of persons employed by private schools participating in the Milwaukee Parental Choice Program.

Assembly Bill 466 would have established levy limits for technical college districts.

Assembly Bill 830 would have authorized funds for engineering instruction at the University of Wisconsin-Rock County campus.

Elections

Assembly Bill 111 would have required most voters to provide identification to vote in elections.

Senate Bill 12 would have made extensive changes to campaign finance and related laws.

Employment

Assembly Bill 633 would have prohibited a county, city, village, or town from enacting a local minimum wage ordinance that does not strictly conform to the state minimum wage law.

Gambling

Assembly Bill 144 and *Senate Bill 41* would have limited the governor's power to enter into Indian gaming compacts without legislative approval.

Local Law

Assembly Bill 466 would have created levy limits that applied to cities, villages, towns, and counties.

Occupational Regulation

Assembly Bill 67 would have prohibited the Board of Nursing, the Medical Examining Board, and the Pharmacy Examining Board from disciplining health care practitioners for refusing to par-

ticipate in certain acts, such as sterilizations; abortions; certain procedures involving in vitro human embryos or fetal tissue; and withholding or withdrawing nutrition or hydration or euthanasia. The bill also would have created immunity from civil liability for damages caused by such refusals.

Assembly Bill 559 would have created requirements for the cremation and disposal of human remains.

Public Utilities

Senate Bill 8 would have created an exception to the open records law to allow security system plans of public utilities to be withheld from public inspection.

Senate Bill 302 would have exempted broadband Internet service from PSC and local government regulation.

Assembly Bill 529 would have created remedies for persons damaged by electric current caused by electric utilities and cooperatives.

Assembly Bill 555 would have subjected nuclear power plants to the same requirements for PSC approval that apply to other types of power plants.

Assembly Bill 958 would have prohibited former PSC commissioners from utility-related employment for a period of time after they served as commissioners.

Taxation

Assembly Bill 547 and *Senate Bill 267* would have changed state and local sales and use taxes to conform to the multistate streamlined sales and use tax agreement.

Transportation

Assembly Bills 58, 462, 464, and 465 would have limited the use of a cellular telephone while operating a motor vehicle.

Assembly Bill 748 would have generally allowed owners of certain outdoor advertising signs along state trunk highways and owners of businesses advertised on these signs to remove obstructing trees or other vegetation located in the highway right-of-way if the trees or other vegetation would have prevented a driver traveling at the posted speed limit from seeing the sign for six uninterrupted seconds.



Senator Russell Decker congratulates Gwen Moore, who left the Senate in January to become Wisconsin's first black representative in Congress. (Richard G. B. Hanson II, Senate Photographer)