

Legislative Branch

The legislative branch: profile of the legislative branch, description of the legislative process, summary of 2007-08 legislation, and description of legislative committees and service agencies

Orion Nebula: The Hubble View



(NASA, ESA, M. Robberto (STScI/ESA) et al.)

OFFICERS OF THE 2009 LEGISLATURE

SENATE

President Senator Fred Risser
 President pro tempore Senator Pat Kreitlow
 Chief clerk Honorable Robert J. Marchant
 Sergeant at arms Honorable Edward A. Blazel

Majority Party Officers

Minority Party Officers

Leader	Senator Russell S. Decker	Senator Scott L. Fitzgerald
Assistant leader	Senator Dave Hansen	Senator Glenn Grothman
Caucus chairperson	Senator John W. Lehman	Senator Joseph K. Leibham
Caucus vice chairperson	Senator Kathleen Vinehout	Senator Sheila E. Harsdorf
Caucus sergeant at arms	Senator Jim Holperin	None

Chief Clerk: Mailing Address: P.O. Box 7882, Madison 53707-7882; Location: B20 South East, State Capitol; 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 Michael J. Sheridan
 Speaker pro tempore Representative Anthony J. Staskunas
 Chief clerk Honorable Patrick E. Fuller
 Sergeant at arms Honorable William Nagy

Majority Party Officers

Minority Party Officers

Leader	Representative Thomas M. Nelson	Representative Jeff Fitzgerald
Assistant leader	Representative Donna J. Seidel	Representative Mark Gottlieb
Caucus chairperson	Representative Peter W. Barca	Representative Scott Suder
Caucus vice chairperson	Representative Barbara L. Toles	Representative Joel Kleefisch
Caucus secretary	Representative Ann Hrachuck	Representative Mary Williams
Caucus sergeant at arms	Representative Marlin D. Schneider	Representative Gary Tauchen

Chief Clerk: Mailing Address: P.O. Box 8952, Madison 53708-8952; Location: 17 West Main Street, Suite 401; 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.

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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 2009 Legislature is the 99th Wisconsin Legislature. It convened on January 5, 2009, and will continue until January 3, 2011.

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 2009 Legislature: Senate: 33 members, 203 employees; Assembly: 99 members, 317 employees.

Total Budget 2007-09: \$142,945,500 (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. Candidates must make this disclosure to the Elections Division of the Government Accountability Board. 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 Ethics and Accountability Division of the Government Accountability 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.

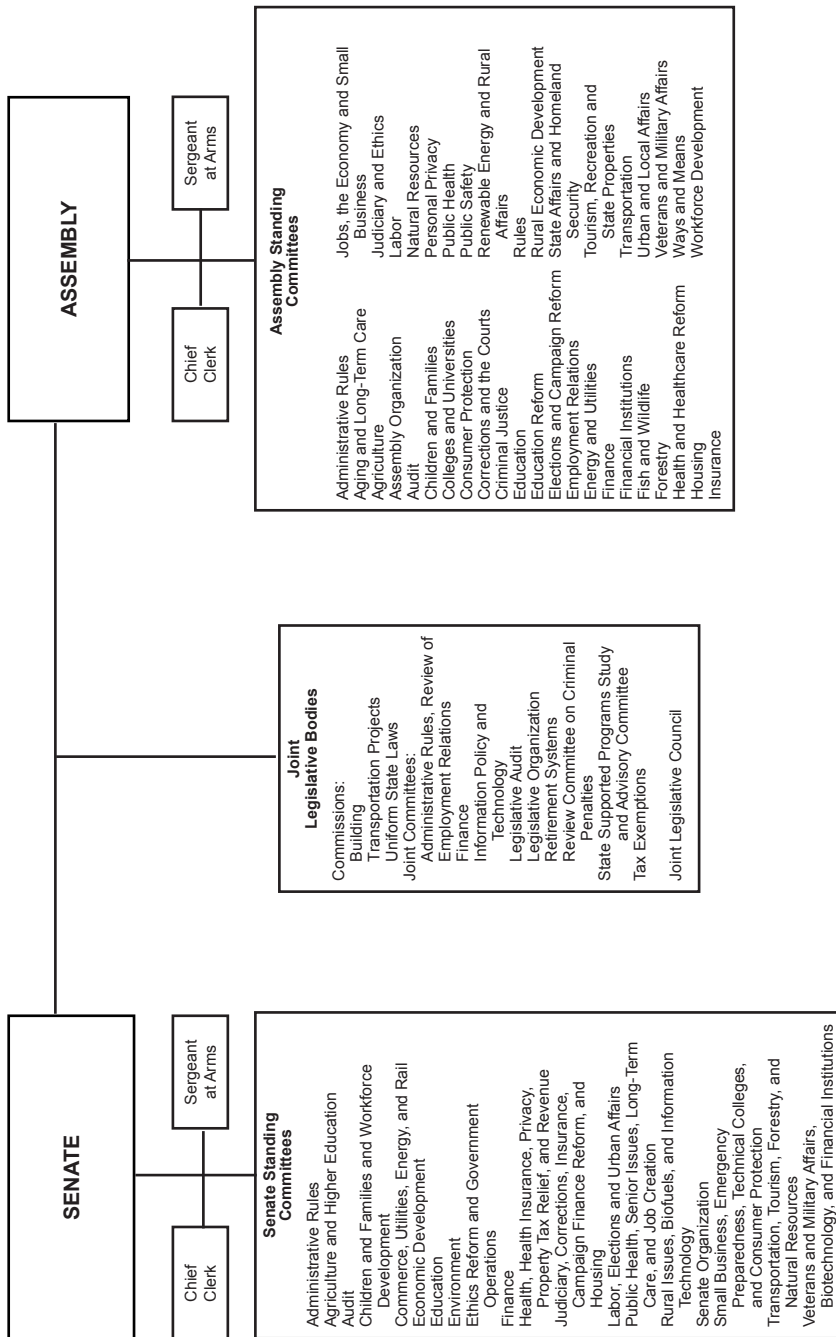
Political Parties in the Legislative Process. Partisan political organizations play an important role in the Wisconsin legislative process. Since 1949, all legislators, with rare exceptions, have been affiliated with either the Democratic Party or the Republican Party. The strongest representation of 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

WISCONSIN LEGISLATURE





Representative Michael Sheridan, Speaker of the Assembly for the 2009 Session, gavels the Assembly to order. The Democratic Party assumed control of that body for the first time since the 1993 Session. (Brent Nicastro, Legislative Photographer)

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 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 2009 Legislature convened on January 5, 2009, all members were eligible for a salary of \$49,943 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 nonmembers. The Speaker of the Assembly also receives a stipend, currently \$25 per month.

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 might reconvene from time to time in the remainder of the year, 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 session was over even though only a portion of its two-year term had elapsed, 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 schedule for the 2-year period and submits it to the legislature in the form of a joint resolution.

2009-2010 SESSION SCHEDULE

January 5, 2009	2009 Inauguration
January 13, 2009	Floorperiod
January 27 to February 10, 2009	Floorperiod
February 24 to 26, 2009	Floorperiod
March 24 to 26, 2009	Floorperiod
April 9, 2009	Deadline for sending bills to governor
April 21 to 30, 2009	Floorperiod
May 12 to 21, 2009	Floorperiod
June 9 to 30, 2009 (or until passage of budget)	Floorperiod
August 6, 2009	Deadline for sending nonbudget bills to governor
August 6, 2009 (or later)	Deadline for sending budget bill to governor*
September 15 to 24, 2009	Floorperiod
October 20 to November 5, 2009	Floorperiod
December 10, 2009	Deadline for sending bills to governor
January 19 to 28, 2010	Floorperiod
February 16 to March 4, 2010	Floorperiod
March 25, 2010	Deadline for sending bills to governor
April 13 to 22, 2010	Last general-business floorperiod
May 4 to 6, 2010	Limited-business floorperiod
May 13, 2010	Deadline for sending bills to governor
May 25 and 26, 2010	Veto review floorperiod
May 27, 2010, to January 3, 2011	Interim committee work
June 9, 2010	Deadline for sending bills to governor
January 3, 2011	2011 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: 2009 Senate Joint Resolution 1.

The 2009–2010 session schedule, for example, is structured around 14 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 2007 Legislature, there had been 86 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 issued periodically during the legislative session as needed. 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 final edition of the *Bulletin* at the end of each biennium 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



The legislative session begins with Inauguration Day in January. Senators elected to new terms in 2008 were sworn in on January 5, 2009. (Brent Nicastro, Legislative Photographer)



The Wisconsin Constitution requires the governor to “communicate to the legislature, at every session, the condition of the state, and recommend such matters to them for their consideration as he may deem expedient.” Governor Jim Doyle fulfilled that obligation with his State of the State Address on January 28, 2009. (Brent Nicastro, Legislative Photographer)

receive 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 2009 Legislature, the senate has 19 standing committees, the assembly 39, and there are 10 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

**NEWS MEDIA CORRESPONDENTS
ACCREDITED TO THE 2009 LEGISLATURE
January 5, 2009**

Organization	Correspondents	Telephone
Newspaper and Wire Services		
Appleton Post-Crescent	Ben Jones	255-9256
Associated Press	Scott Bauer, Ryan Foley, Todd Richmond	255-3679
Badger Herald	Alicia Yager	257-4712
Capital Times	Judith Davidoff, Steve Elbow	252-6438/252-6430
Capitol News Service	Stan Milam	(608) 774-8584
Isthmus	Bill Lueders	251-5627
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	Mark Pitsch, Jason Stein	252-6145/206-0219/ 252-6129
Radio and Television		
WIBA-AM and FM (Madison)	John Colbert	251-1978/274-2995/ (608) 438-6853
WISC-TV (Madison)	Jessica Arp, Colin Benedict	277-5249
WKOW-TV (Madison)	Judy Frankel	273-2727
WMTV-TV (Madison)	Ryan Lobenstein, Zac Schultz	274-1500
WNWC-FM (Madison)	Greg Walters	271-1025
WOLX-FM (Madison)	Adam Elliot	826-0077
WTDY-AM (Madison)	Tara Arnold, Erik Greenfield, Dustin Weis	271-1301
Wisconsin Public Radio	Shawn Johnson, Michael Leland, Shamane Mills	263-4358/263-7985
Wisconsin Public Television	Kathy Bissen, Frederica Freyberg, Art Hackett, Andy Moore	263-2121/263-8496/ 265-6646/263-8585/ 263-5628
Wisconsin Radio Network	Andrew Beckett, Bob Hague, Jackie Johnson, Brian Moon	251-3900
Internet News Service		
Wispolitics.com	Greg Bump, J.R. Ross, Andy Szal	441-8418

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

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 basic information on current legislative activity. **Request text and history of legislative proposals** allows users to access legislative documents by bill or act number. The **Spotlight** link provides a weekly update on recent actions in the legislature. In addition, the legislative **service agencies** have individual home pages where many of their publications are available.

The nxt search engine enables users to search for specific acts, bills, or statutes from 1995 to date. It also offers access to a variety of other legislative documents and indexes, which can also be searched by word. **Searchable Infobases** offers access to nxt on the legislature's Web site.

The legislature's home page links to individual legislator's home pages, which include 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 – WisconsinEye

WisconsinEye, a private, nonprofit public affairs network, began offering exclusive live video and audio of legislative floor sessions and certain other legislative activities in May 2007. Links to live video and audio, as well as archives of past activity, are available at <http://wisconsineye.org>.

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.wisconsin.gov>, users will receive daily or weekly e-mails of relevant activities.

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 is assisted by five service agencies responsible for financial and program audits, fiscal information and analysis, bill drafting, research services, statutory revision, legal counsel and policy assistance, and computer and telecommunications services.



The Assembly Rules Committee, comprised of leadership from each party, controls which bills come to the floor of the Assembly. The committee met in the Assembly Parlor in March 2009. (Brent Nicastro, Legislative Photographer)

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 change existing law will usually amend, create, repeal, renumber, renumber and amend, or repeal and recreate one or more sections of the *Wisconsin Statutes*. After the Legislative Reference Bureau (LRB) 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 Legislative Council 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 LRB 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 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 LRB. Records from 1997 to the present are available on the legislature’s Web site.

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 12, 2009:

The committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue** reports and recommends:

Senate Bill 181

Relating to: prohibiting smoking in indoor areas, in sports arenas, in public conveyances, and at certain outdoor locations and providing a penalty.

Adoption of Senate Substitute Amendment 1:

Ayes, 6 – Senators Erpenbach, Robson, Lassa, Lazich, Kanavas and Darling.

Noes, 1 – Senator Carpenter.

Passage as amended.

Ayes, 5 – Senators Erpenbach, Robson, Lassa, Kanavas and Darling.

Noes, 2 – Senators Carpenter and Lazich.

Jon Erpenbach

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 2009 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 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.



Majority Leader Russell Decker directs the agenda of the majority party in the Senate. Decker addressed his colleagues on the Senate floor in May 2009. (Jay Salvo, Legislative Photographer)

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 LRB “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., 2009 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 LRB combines all the laws enacted during the biennium into bound volumes, called the “Laws of Wisconsin”. The LRB 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 *2007-2008 Wisconsin Statutes* includes all statutory changes resulting from laws enacted by the 2007 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 in 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.



Assembly Minority Leader Jeff Fitzgerald, Horicon, Assistant Minority Leader Mark Gottlieb, Port Washington, and Representative Joel Kleefisch, Oconomowoc, contemplate an address by the speaker just before the final vote on the 2009-2011 budget on June 26, 2009. (Brent Nicastro, Legislative Photographer)

2009-2010 LEGISLATIVE SERVICE

The complete 2009-2010 Legislative Service consists of 6 parts, which may be ordered by subscription from the Document Sales office:

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.

To obtain all or part of the legislative service, contact Document Sales, Wisconsin Department of Administration, 202 S. Thornton Avenue, P.O. Box 7840, Madison 53707-7840 or call (608) 266-3358, TTY (608) 264-8499, or (800) 362-7253 for an order form. Any part may be ordered separately. Prepayment is required on all orders. Faxed orders are accepted at (608) 261-8150 when paying with a credit card. Subscribers receive their documents through the mail. All subscriptions to the 2009-2010 Legislative Service will expire on December 31, 2010.

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Weekly Schedule of Committee Activities	15	85
Administrative Rules	65	95

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Senate President Fred Risser of Madison is the longest-serving state legislator in the United States, with a continuous tenure dating from 1957. (Brent Nicastro, Legislative Photographer)

EXECUTIVE VETOES, 1931 – 2007 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	Vetoes Overridden
1931	58	58	—	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	30	25	5	2	1	1	1	0
1947	10	9	1	1	1	—	2	0
1949	17	15	2	2	1	1	0	0
1951	18	18	—	2	2	—	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	70	68	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
2005	47	47	—	2	2	—	139	0
2007	1	1	—	4	4	—	33	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: 1931 (20); 1937 (5); 1941 (12); 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.

¹The number of individual veto statements in the governor's veto message.

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*.

**POLITICAL COMPOSITION OF THE
WISCONSIN LEGISLATURE
1885 – 2009**

Legislative Session ¹	Senate							Assembly						
	D	R	P	SD	M ²	Vacant	D	R	P	S	SD	M ²	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	—	—	20	59	—	—	12	—	—	
1913	4	23	—	—	—	—	37	57	—	—	6	—	—	
1915	9	23	—	1	—	—	29	63	—	—	8	—	—	
1917	11	21	—	—	—	—	14	79	—	7	—	—	—	
1919	6	24	—	3	—	—	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	—	—	—	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	—	—	—	—	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	—	—	—	—	1	
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	—	—	—	—	—	
2007	18	15	—	—	—	—	47	52	—	—	—	—	—	
2009	18	15	—	—	—	—	52	46	—	—	—	1	—	

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); one Independent (2009).

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.

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Sources: Wisconsin Department of Administration, *Document Sales Catalog*, and Legislative Reference Bureau.



Senate Minority Leader Scott Fitzgerald of Juneau advocates for his party's position during the budget debate at a conference committee meeting. (Jay Salvo, Legislative Photographer)

STANDING COMMITTEES OF THE 2009 WISCONSIN LEGISLATURE

All standing committees of the 2009 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 — HOLPERIN, *chairperson*; LEHMAN, RISSER; GROTHMAN*, COWLES.

Agriculture and Higher Education — VINEHOUT, *chairperson*; KREITLOW, PLALE; HARSDFORF*, KAPANKE.

Audit — VINEHOUT, *chairperson*; JAUCH, MILLER; COWLES*, LAZICH.



During an executive session, committee members decide whether or not to recommend a bill for passage. Senator Joseph Leibham of Sheboygan is a member of the Senate Committee on Transportation, Tourism, Forestry and Natural Resources. (Jay Salvo, Legislative Photographer)

Children and Families and Workforce Development — JAUCH, *chairperson*; LASSA, VINEHOUT; KEDZIE*, HOPPER.

Commerce, Utilities, Energy, and Rail — PLALE, *chairperson*; WIRCH, ERPENBACH, KREITLOW; COWLES*, HARSDFORF, KEDZIE.

Economic Development — LASSA, *chairperson*; LEHMAN, VINEHOUT, KREITLOW; KANAVAS*, DARLING, LEIBHAM.

Education — LEHMAN, *chairperson*; JAUCH, *vice chairperson*; ERPENBACH, HANSEN; OLSEN*, GROTHMAN, HOPPER.

Environment — MILLER, *chairperson*; JAUCH, WIRCH; KEDZIE*, OLSEN.

- Ethics Reform and Government Operations** — *RISSE*, *chairperson*; *ROBSON*, *KREITLOW*; *ELLIS**, *LASEE*.
- Finance** — *MILLER*, *chairperson*; *HANSEN*, *TAYLOR*, *LEHMAN*, *ROBSON*, *LASSA*; *DARLING**, *OLSEN*.
- Health, Health Insurance, Privacy, Property Tax Relief, and Revenue** — *ERPENBACH*, *chairperson*; *CARPENTER*, *vice chairperson*; *ROBSON*, *LASSA*; *LAZICH**, *KANAVAS*, *DARLING*.
- Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing** — *TAYLOR*, *chairperson*; *SULLIVAN*, *vice chairperson*; *ERPENBACH*; *GROTHMAN**, *HOPPER*.
- Labor, Elections and Urban Affairs** — *COGGS*, *chairperson*; *WIRCH*, *LEHMAN*; *LASEE**, *GROTHMAN*.
- Public Health, Senior Issues, Long-Term Care, and Job Creation** — *CARPENTER*, *chairperson*; *COGGS*, *VINEHOUT*; *SCHULTZ**, *KAPANKE*.
- Rural Issues, Biofuels, and Information Technology** — *KREITLOW*, *chairperson*; *JAUCH*, *HOLPERIN*; *KAPANKE**, *KANAVAS*.
- Senate Organization** — *DECKER*, *chairperson*; *RISSE*, *HANSEN*; *S. FITZGERALD**, *GROTHMAN*.
- Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection** — *WIRCH*, *chairperson*; *PLALE*, *HOLPERIN*; *HOPPER**, *LAZICH*.
- Transportation, Tourism, Forestry, and Natural Resources** — *HOLPERIN*, *chairperson*; *SULLIVAN*, *PLALE*, *HANSEN*; *LEIBHAM**, *KEDZIE*, *GROTHMAN*.
- Veterans and Military Affairs, Biotechnology, and Financial Institutions** — *SULLIVAN*, *chairperson*; *COGGS*, *CARPENTER*; *LEIBHAM**, *KANAVAS*.

ASSEMBLY STANDING COMMITTEES

- Administrative Rules** — *ZEPNICK*, *chairperson*; *HUBLER*, *vice chairperson*; *HEBL*; *LEMAHIEU**, *GUNDERSON*.
- Aging and Long-Term Care** — *KRUSICK*, *chairperson*; *A. WILLIAMS*, *vice chairperson*; *ROYS*, *RADCLIFFE*; *RHOADES**, *TOWNSEND*, *PETERSEN*.
- Agriculture** — *VRUWINK*, *chairperson*; *RADCLIFFE*, *vice chairperson*; *GARTHWAITE*, *JORGENSEN*, *MOLEPSKE*, *DANOU*; *A. OTT**, *NERISON*, *MURTHA*, *TAUCHEN*, *BROOKS*.
- Assembly Organization** — *SHERIDAN*, *chairperson*; *NELSON*, *SEIDEL*, *STASKUNAS*, *BARCA*; *J. FITZGERALD**, *GOTTLIEB*, *SUDER*.
- Audit** — *BARCA*, *chairperson*; *JORGENSEN*, *vice chairperson*; *POCAN*; *KRAMER**, *KERKMAN*.
- Children and Families** — *GRIGSBY*, *chairperson*; *SEIDEL*, *vice chairperson*; *POPE-ROBERTS*, *SINICKI*, *BERCEAU*; *KESTELL**, *PRIDEMORE*, *SPANBAUER*.
- Colleges and Universities** — *HIXSON*, *chairperson*; *SMITH*, *vice chairperson*; *BLACK*, *CULLEN*, *SOLETSKI*, *HINTZ*, *BERCEAU*; *NASS**, *RHOADES*, *TOWNSEND*, *GOTTLIEB*, *BALLWEG*.
- Consumer Protection** — *HINTZ*, *chairperson*; *SOLETSKI*, *vice chairperson*; *HIXSON*, *POPE-ROBERTS*, *ROYS*; *LOTHIAN**, *KLEEFISCH*, *SPANBAUER*, *MEYER*.
- Corrections and the Courts** — *PARISI*, *chairperson*; *BENEDICT*, *vice chairperson*; *SEIDEL*, *KESSLER*, *POPE-ROBERTS*, *ZIGMUNT*, *PASCH*; *VAN ROY**, *GUNDRUM*, *KESTELL*, *LEMAHIEU*, *BROOKS*.
- Criminal Justice** — *TURNER*, *chairperson*; *KESSLER*, *vice chairperson*; *STASKUNAS*, *HRAYCHUCK*, *SOLETSKI*, *PASCH*; *KLEEFISCH**, *FRISKE*, *KRAMER*, *BROOKS*, *RIPP*.
- Education** — *POPE-ROBERTS*, *chairperson*; *DEXTER*, *vice chairperson*; *HILGENBERG*, *SINICKI*, *HIXSON*, *SMITH*, *KRUSICK*, *RADCLIFFE*; *DAVIS**, *NASS*, *TOWNSEND*, *VUKMIR*, *NYGREN*.
- Education Reform** — *A. WILLIAMS*, *chairperson*; *SINICKI*, *vice chairperson*; *FIELDS*, *CULLEN*, *YOUNG*, *KESSLER*; *PRIDEMORE**, *VUKMIR*, *J. OTT*.
- Elections and Campaign Reform** — *SMITH*, *chairperson*; *SOLETSKI*, *vice chairperson*; *KESSLER*, *A. WILLIAMS*, *ROYS*; *STONE**, *PRIDEMORE*, *ROTH*.
- Employment Relations** — *SHERIDAN*, *chairperson*; *NELSON*, *POCAN*; *J. FITZGERALD**.

- Energy and Utilities** — SOLETSKI, *chairperson*; ZEPNICK, *vice chairperson*; STASKUNAS, RICHARDS, STEINBRINK, PARISI, ZIGMUNT; HUEBSCH*, MONTGOMERY, HONADEL, PETERSEN, ZIPPERER.
- Finance** — POCAN, *chairperson*; COLÓN, *vice chairperson*; MASON, SHILLING, SHERMAN, GRIGSBY; VOS*, MONTGOMERY.
- Financial Institutions** — FIELDS, *chairperson*; SMITH, *vice chairperson*; BARCA, ZEPNICK, HIXSON, GARTHWAITE; NEWCOMER*, KAUFERT, HUEBSCH, DAVIS, KRAMER.
- Fish and Wildlife** — HRAYCHUCK, *chairperson*; MILROY, *vice chairperson*; MOLEPSKE, STEINBRINK, DANOU, VRUWINK; GUNDERSON*, SUDER, M. WILLIAMS, J. OTT.
- Forestry** — SHERMAN, *chairperson*; CLARK, *vice chairperson*; MILROY; FRISKE*, MURSAU.
- Health and Healthcare Reform** — RICHARDS, *chairperson*; ROYS, *vice chairperson*; BENEDICT, SHILLING, VRUWINK, SEIDEL, PASCH, BERNARD SCHABER; VUKMIR*, RHOADES, STONE, STRACHOTA, NYGREN.
- Housing** — YOUNG, *chairperson*; A. WILLIAMS, *vice chairperson*; TURNER, PASCH; ROTH*, NEWCOMER, MURTHA.
- Insurance** — CULLEN, *chairperson*; MOLEPSKE, *vice chairperson*; ZIEGELBAUER, PARISI, BERCEAU, HEBL; NYGREN*, SUDER, VOS, ROTH.
- Jobs, the Economy and Small Business** — MOLEPSKE, *chairperson*; BERNARD SCHABER, *vice chairperson*; FIELDS, HINTZ, BARCA, KRUSICK, BENEDICT, TOLES; ZIPPERER*, FRISKE, VAN ROY, M. WILLIAMS, STRACHOTA.
- Judiciary and Ethics** — HEBL, *chairperson*; COLÓN, *vice chairperson*; KESSLER, CULLEN, RICHARDS, TURNER; GUNDRUM*, KERKMAN, KRAMER, ZIPPERER.
- Labor** — SINICKI, *chairperson*; VAN AKKEREN, *vice chairperson*; JORGENSEN, PARISI, TOLES, SOLETSKI (eff. 4/13/09); HONADEL*, NASS, KNODL.
- Natural Resources** — BLACK, *chairperson*; DANOU, *vice chairperson*; MOLEPSKE, STEINBRINK, HRAYCHUCK, HEBL, MASON, MILROY, CLARK; J. OTT*, GUNDERSON, HUEBSCH, LEMAHIEU, MURSAU, NERISON.
- Personal Privacy** — SCHNEIDER, *chairperson*; VRUWINK, *vice chairperson*; KESSLER, STASKUNAS; SUDER*, GUNDRUM, M. WILLIAMS.
- Subcommittee on AB 29 RFID Sale of Consumer Goods** — M. WILLIAMS, *chairperson*; GUNDRUM, KESSLER, SCHNEIDER.
- Subcommittee on AB 30 Monitoring of Electronic Mail Usage** — VRUWINK, *chairperson*; KESSLER, SUDER, M. WILLIAMS.
- Subcommittee on AB 137 Real ID** — SUDER, *chairperson*; M. WILLIAMS, VRUWINK, SCHNEIDER.
- Subcommittee on AB 171 Unlawful Use of Global Position Device** — KESSLER, *chairperson*; STASKUNAS, SUDER, GUNDRUM.
- Public Health** — BENEDICT, *chairperson*; PASCH, *vice chairperson*; DEXTER, BERNARD SCHABER; STRACHOTA*, VUKMIR, NEWCOMER.
- Public Safety** — STASKUNAS, *chairperson*; ZIEGELBAUER, *vice chairperson*; CULLEN, SMITH, BERCEAU; BIES*, A. OTT, NERISON.
- Renewable Energy and Rural Affairs** — JORGENSEN, *chairperson*; HILGENBERG, *vice chairperson*; RADCLIFFE, GARTHWAITE, SMITH, DEXTER, DANOU, VRUWINK; WOOD; TAUCHEN*, PETROWSKI, LOTHIAN, BALLWEG, DAVIS, RIPP.
- Rules** — NELSON, *chairperson*; SHERIDAN, *vice chairperson*; STASKUNAS, SEIDEL, BARCA, RICHARDS, SHILLING; J. FITZGERALD*, GOTTLIEB, SUDER, KLEEFISCH, M. WILLIAMS.
- Rural Economic Development** — GARTHWAITE, *chairperson*; JORGENSEN, *vice chairperson*; HRAYCHUCK, CLARK, DEXTER; WOOD; MEYER*, DAVIS, NERISON, MURTHA.
- State Affairs and Homeland Security** — KESSLER, *chairperson*; YOUNG, *vice chairperson*; POPE-ROBERTS, ROYS, BLACK; BALLWEG*, KLEEFISCH, KNODL.

Tourism, Recreation and State Properties — VAN AKKEREN, *chairperson*; CLARK, *vice chairperson*; SCHNEIDER, HRAYCHUCK, HILGENBERG; KAUFERT*, BIES, VAN ROY, M. WILLIAMS.

Transportation — STEINBRINK, *chairperson*; ZIGMUNT, *vice chairperson*; VRUWINK, GARTHWAITE, FIELDS, BERNARD SCHABER, SINICKI; PETROWSKI*, A. OTT, STONE, BIES, RIPP.

Urban and Local Affairs — BERCEAU, *chairperson*; VAN AKKEREN, *vice chairperson*; ZIEGELBAUER, HINTZ, PARISI; LEMAHIEU*, GOTTLIEB, SPANBAUER.

Veterans and Military Affairs — HILGENBERG, *chairperson*; SCHNEIDER, *vice chairperson*; TURNER, HUBLER, SINICKI, MILROY; PETERSEN*, PETROWSKI, TOWNSEND, MEYER.

Ways and Means — ZIEGELBAUER, *chairperson*; HEBL, *vice chairperson*; STEINBRINK, ZEPNICK, TOLES; WOOD; KERKMAN*, NASS, LOTHIAN, KNODL.

Workforce Development — TOLES, *chairperson*; HINTZ, *vice chairperson*; SEIDEL, ZEPNICK, HIXSON; MURSAU*, KESTELL, HONADEL, TAUCHEN.



Representative Peggy Krusick of Milwaukee, a veteran of 14 legislative sessions, is a passionate advocate for her district. As a member of the Assembly Committee on Jobs, the Economy and Small Business, she deals with issues that affect the well-being of all residents of the state. (Brent Nicastro, Legislative Photographer)

PERSONAL DATA ON WISCONSIN LEGISLATORS
1999 – 2009 Sessions

	1999		2001		2003		2005		2007		2009	
	Sen.	Rep.	Sen.	Rep.	Sen.	Rep.	Sen.	Rep.	Sen.	Rep.	Sen.	Rep.*
Party affiliation												
Democrat	17	44	18	43	15	41	14	39	18	47	18	52
Republican	16	55	15	56	18	58	19	60	15	52	15	46
Number with previous legislative service												
In senate	30	0	30	0	27	0	28	0	29	0	31	0
In assembly	23	78	24	89	22	84	23	81	23	82	23	86
Highest number of prior sessions in same house	18	14	19	15	20	16	21	17	22	18	23	19
Occupations												
Full-time legislator	14	38	15	40	13	39	11	39	12	38	11	39
Attorney	5	10	5	10	3	8	2	11	3	11	3	12
Farmer	1	12	1	13	3	9	3	9	3	5	3	5
Other	13	39	12	36	14	43	17	40	15	45	16	43
Education												
High school only	2	12	2	13	4	12	4	9	2	7	1	7
Beyond high school	31	87	31	86	29	87	29	90	31	92	32	92
Bachelor's or associate degree	26	67	28	67	25	67	26	70	28	69	29	69
Advanced degree	8	29	8	31	7	32	8	34	10	37	11	35
Number with experience on local governing body												
County board	4	19	4	18	4	19	4	18	4	17	4	15
Municipal board	6	31	5	36	8	35	10	28	12	25	12	30
Age												
Oldest	71	69	73	71	75	75	77	77	79	79	81	80
Youngest	35	27	37	26	33	27	34	28	36	28	38	29
Average	50	46	52	47	51	49	52	50	54	50	55	50
Veterans	4	14	4	15	4	13	4	13	2	16	2	16
Marital status												
Single	6	23	5	23	5	17	10	25	8	25	9	24
Married	27	74	28	76	28	80	23	70	25	69	24	71
Widowed	0	2	0	0	0	2	0	4	0	5	0	4
Number of women	11	19	11	22	8	27	8	26	8	22	7	22

*Includes one independent.

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 2009.

JOINT LEGISLATIVE COMMITTEES AND COMMISSIONS

Joint committees and commissions are created by statute and include members from both houses. Three 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 HOLPERIN, REPRESENTATIVE ZEPNICK, *cochairpersons*; SENATORS LEHMAN, RISSER; GROTHMAN*, COWLES; REPRESENTATIVES HUBLER, HEBL; LEMAHIEU*, GUNDERSON.

Mailing Addresses: Senator Holperin, Room 409 South, State Capitol, P.O. Box 7882, Madison 53707-7882; Representative Zepnick, Room 219 North, State Capitol, P.O. Box 8953, Madison 53708-8953.

Telephones: Senator Holperin, 266-2509; Representative Zepnick, 266-1707.

E-mail: sen.holperin@legis.wisconsin.gov; rep.zepnick@legis.wisconsin.gov

Statutory References: Sections 13.56, 227.19, 227.24, 227.26, 227.40 (5), and 806.04 (11).

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. Chapter 659, Laws of 1965, granted the committee 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



Former Speaker Pro Tempore Mark Gottlieb (right) of Port Washington, confers with current Speaker Pro Tempore Anthony Staskunas, of West Allis. The Speaker Pro Tempore, an office filled by a member of the majority party, usually presides over Assembly floor sessions. Staskunas was elected to the office when the Democrats took control of the Assembly. (Jay Salvo, Legislative Photographer)

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*; SENATOR RISSER (through 1/5/10), *vice chairperson*; SENATORS KREITLOW (eff. 1/6/10), PLALE; KANAVAS; REPRESENTATIVES BLACK, HINTZ; KAUFERT; TERRY MCGUIRE (citizen member appointed by governor). Nonvoting advisory members from Department of Administration: MICHAEL MORGAN (departmental secretary), ADEL TABRIZI (chief engineer), DAVID HALEY (chief architect).

Secretary: DAVID HELBACH, *administrator*, Division of State Facilities, Department of Administration.

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

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

Telephone: 266-1031.

Fax: 267-2710.

Total Budget 2007-09: \$82,462,000*.

*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 addition, 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. Both the majority and minority parties in each house must be represented, and one legislator from each house must also be a member of the State Supported Programs Study and Advisory Committee. The governor serves as chairperson; one citizen member serves at the pleasure of the governor. Three officials from the Department of Administration – the secretary, the head of the engineering function, and the ranking architect – serve as nonvoting, advisory members.

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 TAYLOR, vacancy; REPRESENTATIVE STASKUNAS, vacancy; J.B. VAN HOLLEN (attorney general); RICK RAEMISCH (secretary of corrections); NICHOLAS CHIARKAS (state public defender); JAMES T. BAYORGEON, DAVID G. DEININGER (reserve judges appointed by supreme court); BRADLEY GEHRING, ALLAN KEHL (public members appointed by governor).

Mailing Address: Senator Taylor, Room 415 South, State Capitol, P.O. Box 7882, Madison 53707-7882.

Telephone: Senator Taylor, 266-5810.

E-mail: sen.taylor@legis.wisconsin.gov

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 lan-

guage 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.

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

SENATOR RISSER (senate president), REPRESENTATIVE SHERIDAN (assembly speaker), SENATORS DECKER (majority leader), S. FITZGERALD (minority leader); REPRESENTATIVES NELSON (majority leader), J. FITZGERALD (minority leader); SENATOR MILLER, REPRESENTATIVE POCAN (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.

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 pass the bill, the agreement 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 compensation 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 may be disapproved by the governor. The committee may set aside the governor's disapproval by a vote of 6 committee members.

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



A Conference Committee is organized when the Senate and Assembly cannot agree on identical versions of a bill. Senate members Russell Decker, Mark Miller, and Scott Fitzgerald negotiate changes to reconcile differences in versions of Assembly Bill 75, the biennial budget. (Jay Salvo, Legislative Photographer)

Joint Committee on FINANCE

SENATOR MILLER, REPRESENTATIVE POCAN, SENATORS HANSEN, TAYLOR, LEHMAN, ROBSON, LASSA; DARLING*, OLSEN; REPRESENTATIVES COLÓN, MASON, SHILLING, SHERMAN, GRIGSBY; VOS*, MONTGOMERY.

Mailing Addresses: Senator Miller, Room 317 East, State Capitol, P.O. Box 7882, Madison 53707-7882; Representative Pocan, Room 309 East, State Capitol, P.O. Box 8953, Madison 53708-8953.

Telephones: Senator Miller, 266-9170; Representative Pocan, 266-8570.

E-mail: sen.miller@legis.wisconsin.gov; rep.pocan@legis.wisconsin.gov

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 Eco-

conomic 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; expenditure plans for federal low-income assistance funds; and oversight and review of expenditure of funds received from the American Recovery and Reinvestment Act (ARRA). 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.



Speaker Michael Sheridan (left) and Minority Leader Jeff Fitzgerald lead their respective parties in the Assembly. (Jay Salvo, Legislative Photographer)

Joint Committee on INFORMATION POLICY AND TECHNOLOGY

Members: SENATORS KREITLOW, JAUCH, MILLER; COWLES, LEIBHAM; 5 vacancies (representatives).

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 University of Wisconsin Board of Regents is required to submit a report to the committee twice annually, detailing each information technology project in the University of Wisconsin System costing more than \$1 million or deemed “high-risk” by the board. The committee may make recommendations on the identified projects to the governor and the legislature. 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 29.

Joint LEGISLATIVE AUDIT COMMITTEE

Members: SENATOR VINEHOUT, REPRESENTATIVE BARCA, *cochairpersons*; SENATOR MILLER, REPRESENTATIVE POCAN (joint finance committee *cochairpersons*); SENATORS JAUCH; COWLES*, LAZICH; REPRESENTATIVES JORGENSEN; KRAMER*, KERKMAN.

Mailing Addresses: Senator Vinehout, Room 104 South, State Capitol, P.O. Box 7882, Madison 53707-7882; Representative Barca, Room 107 North, State Capitol, P.O. Box 8952, Madison 53708-8952.

Telephones: Senator Vinehout, 266-8546; Representative Barca, 266-5504.

E-mail: sen.vinehout@legis.wisconsin.gov; rep.barca@legis.wisconsin.gov

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.

JOINT LEGISLATIVE COUNCIL

Members: SENATOR RISSER (senate president), REPRESENTATIVE SCHNEIDER (designated by assembly speaker), *cochairpersons*; SENATORS KREITLOW (president pro tempore), DECKER (majority leader), S. FITZGERALD (minority leader), MILLER (cochairperson, Joint Committee on Finance), DARLING (ranking minority member, Joint Committee on Finance), COGGS, ROBSON, WIRCH, HARSDORF, SCHULTZ; REPRESENTATIVES SHERIDAN (assembly speaker), STASKUNAS (speaker pro tempore), NELSON (majority leader), J. FITZGERALD (minority leader), POCAN (cochairperson, Joint Committee on Finance), VOS (ranking minority member, Joint Committee on Finance), BERCEAU, BLACK, BALLWEG, KAUFERT. (Members designated by title serve *ex officio*.)

Director of Legislative Council Staff: TERRY C. ANDERSON, terry.anderson@legis.wisconsin.gov

Deputy Director: LAURA D. ROSE, laura.rose@legis.wisconsin.gov

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

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: 34.17.

Total Budget 2007-09: \$7,501,000.

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 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. The staff also assists the legislature in identifying and responding to issues relating to the Wisconsin Retirement System.

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.



All sides of an issue may be aired during floor debate. Here Senator Neal Kedzie of Elkhorn listens respectfully to his colleagues' point of view. (Jay Salvo, Legislative Photographer)

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. 2005 Wisconsin Act 316 transferred the functions of the retirement research director to the council staff, making the staff responsible for supporting the Joint Survey Committee on Retirement Systems and the legislature regarding legislation involving the Wisconsin Retirement System.

PERMANENT STATUTORY COMMITTEES

Special Committee on State-Tribal Relations

Members: SENATOR COGGS, *chairperson*; REPRESENTATIVE MURSAU, *vice chairperson*; SENATORS S. FITZGERALD, JAUCH, HANSEN; REPRESENTATIVES SHERMAN, SOLETSKI; AGNES FLEMING (Lac Courte Oreilles Band of Lake Superior Chippewa Indians), DEE ANN MAYO (Lac du Flambeau Band of Lake Superior Chippewa Indians), MARK MONTANO (Red Cliff Band of

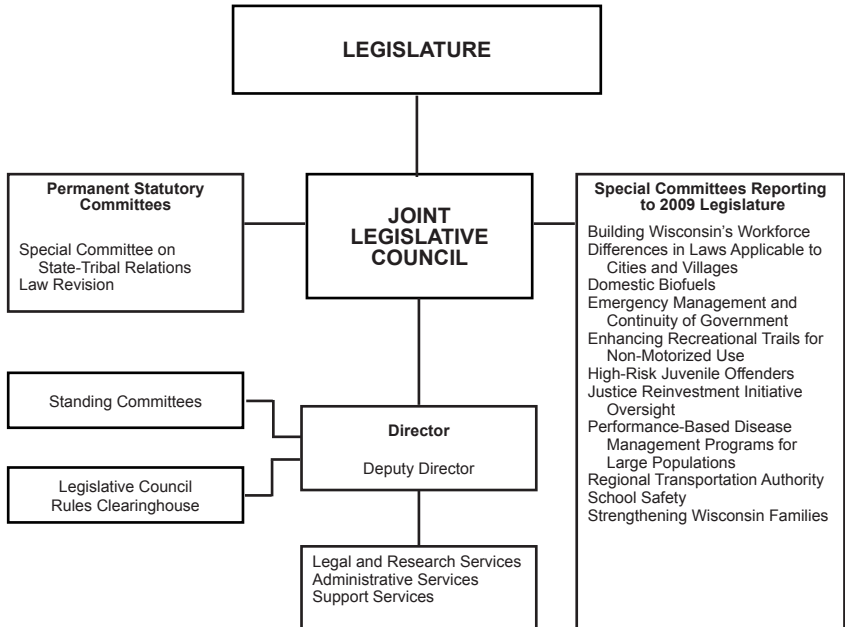
Lake Superior Chippewas), ANDREW ADAMS III (St. Croix Band of Chippewa Indians), DANIEL BROWN (Ho-Chunk Nation), KEN FISH (Menominee Indian Tribe of Wisconsin), GREGG DUFFEK (Stockbridge-Munsee Band of Mohican Indians), PATRICIA NINHAM HOEFT (Oneida Tribe of Indians of Wisconsin), PHILIP SHOPODOCK (Forest County Potawatomi Community).

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. The committee has its origins in the Menominee Indians Committee, created in 1955 to study the governmental status of the Menominee Indian Tribe at that time. Chapter 39, Laws of 1975, replaced that committee with the more broadly focused Native American Study Committee. Its name was changed to the American Indian Study Committee in 1982. 1999 Wisconsin Act 60 gave it its current name and revised the membership. The committee's composition and duties are prescribed in Section 13.83 (3) of the statutes.

... Technical Advisory Committee

Members: vacancy (Department of Children and Families), JIM WEBER (Department of Health Services), TOM BELLAVIA (Department of Justice), MICHAEL LUTZ (Department of Natural Resources), J.P. LEARY (Department of Public Instruction), TOM OURADA (Department of Revenue), GWEN CARR (Department of Transportation), RACHELLE ASHLEY (DEPARTMENT OF WORKFORCE DEVELOPMENT).

JOINT LEGISLATIVE COUNCIL





The Joint Legislative Council is responsible for creating special study committees that meet throughout the biennium. Council cochairs Marlin Schneider and Fred Risser meet with council staff, including, from Risser's left, Terry Anderson, director; Wendy Ulrich and Kelly Mautz, administrative assistants, and Anne Sappenfield and Melissa Schmidt, staff attorneys. At the far left is legislative aide Terry Tuschen. (Kathleen Sitter, LRB)

Under Section 13.83 (3) (f), Wisconsin Statutes, as created by Chapter 39, Laws of 1975, the Technical Advisory Committee, consisting of representatives of 8 major executive agencies, assists the Special Committee on State-Tribal Relations.

Law Revision Committee

Members: SENATOR CARPENTER, REPRESENTATIVE SUDER, *cochairpersons*; SENATORS GROTHMAN, SULLIVAN; REPRESENTATIVES HUBLER, ROTH.

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 Legislative Reference Bureau 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 committee was created by Chapter 204, Laws of 1979, as a combination of the Judiciary Committee, which had its origins in a 1951 mandate to prepare a criminal code, and the Remedial Legislation Committee, created in 1959. Its composition and duties are prescribed in Section 13.83 (1) of the statutes.

SPECIAL COMMITTEES REPORTING IN 2009

Special Committee on Building Wisconsin's Workforce

Members: REPRESENTATIVE STRACHOTA, *chairperson*; SENATOR WIRCH, *vice chairperson*; SENATORS DARLING, JAUCH; REPRESENTATIVES HINTZ, HONADEL; JIM GOLEMBESKI, JOHN KECKHAVER, MARK KESSENICH, STEVE MERCATIS, PETER THILLMAN, CAROL WAGENSON, JUDY WARMUTH.

The special committee is directed to study and make recommendations regarding the coordination of existing resources of K-12 educational institutions, technical colleges, universities,

government agencies, and private organizations to: 1) meet the future workforce needs of the health care, skilled trades, construction, advanced manufacturing, and technology fields; 2) retrain workers in the health care, skilled trades, construction, advanced manufacturing, and technology fields; and 3) retrain and update the skills and education of workers in the health care, skilled trades, construction, advanced manufacturing, and technology fields.

Special Committee on Differences in Laws Applicable to Cities and Villages

Members: REPRESENTATIVE GOTTLIEB, *chairperson*; SENATOR PLALE, *vice chairperson*; REPRESENTATIVES BALLWEG, JESKEWITZ; PATRICK CANNON, DAN MAHONEY, MIKE MAY, JERRY MENNE, MIKE MORSE, CURT WITYNSKI.

The special committee is directed to review laws relating to cities and villages, other than those laws that relate to the fundamental organizational structure that distinguishes cities and villages; to determine discrepancies and inconsistencies in the application of those laws to each type of municipality; and recommend, when appropriate and advantageous, rectifying those discrepancies and inconsistencies that exist for no apparent policy rationale.

Special Committee on Domestic Biofuels

Members: SENATOR KREITLOW, *chairperson*; REPRESENTATIVE SUDER, *vice chairperson*; SENATORS COWLES, JAUCH; REPRESENTATIVES FRISKE, SHERIDAN; MARY BLANCHARD, HOWARD BOHL, STEVE CHRISTENSEN, T. RANDALL FORTENBERY, JENNIFER GIEGERICH, JEREMY GOODFELLOW, STEVE GRAHAM, DON GUAY, BILL JOHNSON, STEVE LOEHR, JOHN SALDEN, PETER TAGLIA, PETER TOMASI.

The special committee is directed to: 1) evaluate the economic and environmental costs and benefits of domestically produced fuels derived from biomass; 2) review state and federal policies to promote the development of the industry and infrastructure for the production and distribution of such fuels; 3) recommend state policies to address any deficiencies in existing policies; and 4) recommend state policies to encourage minimum targets for ethanol-blended transportation fuel sales.



Brothers Scott and Jeff Fitzgerald are the minority leaders of the Senate and Assembly, respectively. They coordinate the policy positions of legislative Republicans. Representative Jim Ott of Mequon, Senator Robert Cowles of Green Bay, and Representative John Murtha of Baldwin joined the Fitzgeralds at a press conference to announce a new initiative. (Jay Salvo, Legislative Photographer)

Special Committee on Emergency Management and Continuity of Government

Members: SENATOR JAUCH, *chairperson*; REPRESENTATIVE BALLWEG, *vice chairperson*; REPRESENTATIVES KERKMAN, SCHNEIDER; GARY DALTON, AZITA HAMEDANI, KEN HARTJE, DOUGLAS HOLTON, KEITH KESLER, ROBERT RITGER, DEAN ROLAND, JOHNNIE SMITH.

The special committee is directed to: 1) conduct a recodification of Chapter 166, Wisconsin Statutes, relating to emergency management, to include reorganizing the chapter in a logical manner, renumbering and retitling sections, consolidating related provisions, modernizing language, resolving ambiguities in language, and making other necessary changes; 2) make recommendations on issues relating to continuity of legislative operations during emergencies, including but not limited to lines of succession, alternate seat of state government for the legislature, suspension of legislative quorum requirements, and participation by legislators through alternative means from remote locations; and 3) review the Uniform Emergency Volunteer Health Practitioners Act for consideration and introduction in the next legislative biennium.

Special Committee on Enhancing Recreational Trails for Non-Motorized Use

Members: SENATOR SULLIVAN, *chairperson*; REPRESENTATIVE J. OTT, *vice chairperson*; REPRESENTATIVES BLACK, KAUFERT; MIKE CARLSON, CHARLIE DEE, CHRIS FORTUNE, JACK HIRT, MARY MOTIFF, JOEL PATENAUDE, DAVID PHILLIPS, HARRY WOZNIAK.

The special committee is directed to review safety issues regarding conflicts between motorized and non-motorized uses, ways to avoid conflicts among trail uses, education programs to provide information about how to avoid trail use conflicts, and increased enforcement by Department of Natural Resources wardens regarding safety, noise, and operational issues. The special committee will also review the availability of private land for non-motorized recreation and address ways to increase that availability.

Special Committee on High-Risk Juvenile Offenders

Members: SENATOR CARPENTER, *chairperson*; REPRESENTATIVE ZIPPERER, *vice chairperson*; REPRESENTATIVES GRIGSBY, ROTH; WALTER DICKEY, BARBARA FRANKS, CRAIG HASTING, WENDY HENDERSON, DEVON LEE, MICHAEL MALMSTADT, MARK MERTENS, MIKE MOORE, BRAD SCHIMEL.

The special committee is directed to study high-risk juvenile offenders and best practices for decreasing the risk of recidivism among high-risk offenders. Specifically, the committee shall study current law relating to the Serious Juvenile Offender Program, waiver of juveniles to adult court, original adult court jurisdiction over juvenile offenders, and placement of juveniles in juvenile correctional institutions and adult prisons. The special committee shall also review successful practices relating to juvenile justice in Wisconsin and other states, including the State of Missouri.

Special Committee on Justice Reinvestment Initiative Oversight

Members: SENATOR TAYLOR, *chairperson*; REPRESENTATIVE TURNER, *vice chairperson*; SENATORS KAPANKE, OLSEN; REPRESENTATIVES GRIGSBY, KLEEFISCH, SUDER; NICHOLAS CHIARKAS, JOHN CHISHOLM, RICHARD DUFOUR, JAMES DWYER, DAVE GRAVES, FRANK HUMPHREY, KIT MCNALLY, LISA STARK, TONY STREVELER, A. JOHN VOELKER, MAXINE WHITE, NOBLE WRAY.

The special committee is directed to serve as the entity to which the Council of State Governments (CSG) Justice Center reports. The study committee process creates a unique forum in which legislators will receive data from the Justice Center along with public members who work directly in different aspects of the corrections and criminal justice systems. The CSG Justice Center will provide technical assistance relating to corrections costs. Specifically, the technical assistance will include: 1) mapping of specific neighborhoods where large numbers of offenders are released from prison to identify how to improve coordination of services, correctional supervision, and law enforcement; 2) analyzing the prison population to determine what is driving its growth and to identify which categories of offenders are at high risk of reoffending; 3) developing policy options, based upon the data collected, to increase public safety and decrease corrections spending; and 4) projecting the fiscal impact of any policy options identified.



The recent economic downturn necessitated quick action on the part of the legislature in 2009. During a February debate on Senate Bill 62, Representative Kitty Rhoades of Hudson discussed the proposal to alleviate the state's financial shortfall. (Brent Nicastro, Legislative Photographer)

Special Committee on Performance-Based Disease Management Programs for Large Populations

Members: SENATOR LASSA, *chairperson*; REPRESENTATIVE BENEDICT; ALEXANDRA ADAMS, CINTHIA S. CHRISTENSEN, MIKKI DURAN, MARILYN FOLLEN, JO MUSSER, SUSAN A. NITZKE, KENNETH SCHELLHASE, DEBORAH WUBBEN, STEVE WIECKERT.

The special committee is directed to: 1) examine the role of disease management programs in assisting to address the state's health care needs; 2) review best practice disease management programs from around the nation; 3) review current practices of the State of Wisconsin's programs; 4) review state-of-the-art procedures for measuring performance of disease management programs; 5) make recommendations on ways to more effectively measure disease management results; and 6) focus on group settings for children, primarily schools, preschool, and day care settings and the laws, rules, and policies related to nutrition and physical activities in those settings, especially in regard to childhood obesity.

Special Committee on Regional Transportation Authority

Members: SENATOR ROBSON, *chairperson*; SENATOR LEHMAN; REPRESENTATIVES A. OTT, STONE, TOLES, VOS; LARRY ARFT, LEN BRANDRUP, GERALD DERR, BRETT GEBOY, DICK GRANCHALEK, ANITA GULOTTA-CONNELLY, TIM HANNA, RICHARD JOHNSON, CHUCK KAMP, SCOTT McDONELL, DELORA NEWTON, BRIAN OHM, FRITZ RUF, DICK WAGNER, TOM WALKER.

The special committee is directed to review and provide recommendations on how to create a statutory framework enabling counties, cities, villages, and towns to create regional transportation authorities (RTA) to promote regional cooperation on transportation issues, including: the funding mechanisms to be used to support an RTA; the method of creation of an RTA, the representation and participation of member units of government on an RTA; the types of transportation services that an RTA could be authorized to administer; and the scope and limits of other RTA authority.

Special Committee on School Safety

Members: SENATOR LEHMAN, *chairperson*; REPRESENTATIVE PRIDEMORE, *vice chairperson*; SENATOR OLSEN; REPRESENTATIVE POPE-ROBERTS; VINCENT FLORES, BETSY GEORG, TOM GROGAN, TERRY MILFRED, GARY MYRAH, ROBERT ROSCH, LUKE VALITCHKA, LAURA VERNON, LUIS YUDICE.

The special committee is directed to review means by which school safety can be improved by examining the relationship between maintaining a safe and secure physical environment and fostering a safe and secure learning environment. The special committee is directed to focus on best practices relating to school discipline, including suspension and expulsion; programs for disciplined students; creation and implementation of bullying prevention and other school conduct enforcement measures; and interagency coordination with mental health, law enforcement, and other relevant agencies. The committee may also review means by which information can be disseminated and assistance can be provided.

Special Committee on Strengthening Wisconsin Families

Members: SENATOR TAYLOR, REPRESENTATIVE KESTELL, *cochairpersons*; SENATOR SCHULTZ; REPRESENTATIVE GRIGSBY; SHERYL ALBERS, JON ANGELI, JOHN BURGESS, GARY ERDMANN, DEBRA FIELDS, UNDRAYE HOWARD, WANDA MONTGOMERY, TERENCE RAY, LUCILLE ROSENBERG, MARY JO TITTL, JACK WESTMAN.

The Special Committee on Strengthening Wisconsin Families is appointed each biennium to study issues relating to strengthening Wisconsin families and to develop specific recommendations and legislative proposals relating to that topic. In the 2009-10 legislative biennium, the council has directed the special committee to develop recommendations to advise the new Department of Children and Families on the administration of programs administered by the new department, to promote the integration of family services formerly administered by multiple departments.

The special committee is to have no fewer than 4 nor more than 12 legislative members, and no fewer than 6 nor more than 11 nonlegislative members. The composition and duties of the special committee are prescribed in Section 13.83 (4) of the statutes.

The special committee was created by 2005 Wisconsin Act 467, and is scheduled to sunset on December 31, 2010.

Joint Committee on LEGISLATIVE ORGANIZATION

Members: SENATOR RISSER (senate president), REPRESENTATIVE SHERIDAN (assembly speaker), *cochairpersons*; SENATORS DECKER (majority leader), S. FITZGERALD (minority leader), HANSEN (assistant majority leader), GROTHMAN (assistant minority leader); REPRESENTATIVES NELSON (majority leader), J. FITZGERALD (minority leader), SEIDEL (assistant majority leader), GOTTLIEB (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, and the Legislative Technology Services 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 four 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 the work schedule for the legislative session, 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 Government Accountability 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 matters pertaining to the legislative institution, including the review of computer technology purchases. 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. 2007 Wisconsin Act 20 eliminated the Revisor of Statutes Bureau and transferred its duties to the Legislative Reference Bureau.

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.



Representative Tom Nelson (left) of Kaukauna, conferring with Speaker Sheridan on the Assembly floor, is the youngest Assembly Majority Leader since the 1970s. (Brent Nicastro, Legislative Photographer)

Joint Survey Committee on RETIREMENT SYSTEMS

Members: SENATOR WIRCH, REPRESENTATIVE HUBLER, *cochairpersons*; SENATORS CARPENTER; SCHULTZ; REPRESENTATIVES ZIEGELBAUER; GOTTLIEB; CHARLOTTE GIBSON (assistant attorney general appointed by attorney general), *secretary*; DAVID STELLA (designated by secretary of employee trust funds), SEAN DILWEG (insurance commissioner); MICHAEL R. LUTTIG (public member appointed by governor).

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

Telephone: 266-1304.

Statutory Reference: Section 13.50.

Agency Responsibility: The Joint Survey Committee on Retirement Systems makes recommendations on 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 assisted by the Joint Legislative Council staff in the performance of its duties, but may contract for actuarial assistance outside the classified service.

Joint Legislative STATE SUPPORTED PROGRAMS STUDY AND ADVISORY COMMITTEE

Members: SENATOR OLSEN, 4 vacancies; 6 vacancies (representatives).

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 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 ERPENBACH, REPRESENTATIVE HUBLER, *cochairpersons*; SENATORS DECKER, ELLIS*; REPRESENTATIVES CULLEN, ZIPPERER*; ROGER M. ERVIN (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 DECKER, HOLPERIN, HANSEN; LASEE, GROTHMAN; REPRESENTATIVES 5 vacancies; LEE MEYERHOFER, MICHAEL R. RYAN, LEONARD SOBCZAK (citizen members appointed by governor). Nonvoting member: FRANK BUSALACCHI (secretary of transportation).

Commission Secretary: JENNIFER CANCHOLA, jennifer.canchola@dot.wi.gov

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*; RICHARD A. CHAMPAGNE (designated by chief, Legislative Reference Bureau), *secretary*; SENATOR RISSER; REPRESENTATIVES CULLEN, GUNDRUM; TERRY ANDERSON (director, Legislative Council Staff); JUSTICE ANN WALSH BRADLEY, MICHAEL WEIDEN (public members appointed by governor).

Mailing Address: 1 East Main Street, Suite 200, Madison 53701-2037.

Telephone: 266-9930.

Fax: 264-6948.

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.



The Capitol is open to all citizens of Wisconsin. Senator Kathleen Vinehout of Alma meets with representatives of her district's agricultural community. (Brent Nicastro, Legislative Photographer)

Organization: The commission consists of 8 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 may be filled by a former legislator if no current legislator meets the criteria, or if no eligible legislator is willing or able to accept the appointment.

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. 2007 Wisconsin Act 20 eliminated the Revisor of Statutes, reducing the total membership to 8.

LEGISLATIVE SERVICE AGENCIES

LEGISLATIVE AUDIT BUREAU

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

Deputy State Auditor for Financial Audit: BRYAN NAAB, bryan.naab@

Deputy State Auditor for Program Evaluation: PAUL STUIBER, paul.stuiber@

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

Audit Directors: DIANN L. ALLSEN, diann.allsen@; CAROLYN STITTLEBURG, carolyn.stittleburg@;

DEAN SWENSON, dean.swenson@; KATE WADE, kate.wade@

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

Telephones: 266-2818; Fraud, waste, and mismanagement hotline: (877) FRAUD-17.

Fax: 267-0410.

Internet Address: <http://www.legis.wisconsin.gov/lab>



Legislative service agencies play an important role in the legislative process. State Auditor Janice Mueller (left) heads the Legislative Audit Bureau, which is responsible for assisting the legislature in its oversight role. Mueller and Kate Wade, Program Evaluation Director, testified on a proposed audit of the Wisconsin Shares program. (Kristyna Wentz-Graff/Milwaukee Journal Sentinel)

E-mail Address: Leg.Audit.Info@legis.wisconsin.gov

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

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

Number of Employees: 86.80.

Total Budget 2007-09: \$15,454,100.

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. The bureau maintains a toll-free number (1-877-FRAUD-17) to receive reports of fraud, waste, and mismanagement in state government. 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. This followed a 1946 constitutional amendment that removed auditing powers from the secretary of state and authorized the legislature to provide for state audits by law.

Statutory Advisory Council

Municipal Best Practices Reviews Advisory Council: CRAIG KNUTSON, ADAM PAYNE (representing the Wisconsin Counties Association); ANTHONY ROACH (representing the League of Wisconsin Municipalities); EDWARD HUCK (representing the Wisconsin Alliance of Cities); DONNA VOGEL (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 Joint Legislative Council pp. 286-287

LEGISLATIVE FISCAL BUREAU

Director: ROBERT WM. LANG.

Program Supervisors: FRED AMMERMAN, JERE BAUER, DARYL HINZ, DAVID LOPPNOW, 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.wisconsin.gov

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 2007-09: \$7,431,400.

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.

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 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.wisconsin.gov

Administrative Services: CATHELENE M. HANAMAN, *deputy chief*, 267-9810, cathele.hanaman@legis.wisconsin.gov

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

Legal Services: PETER R. GRANT, JEFFREY T. KUESEL, MARC E. SHOVERS, REBECCA C. TRADEWELL, *managing attorneys*.

Library Services: MARIAN G. ROGERS, *managing librarian*, 266-2824, marian.rogers@legis.wisconsin.gov

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.wisconsin.gov/lrb>

Publications: *Wisconsin Blue Book*; *Capitol Headlines*; *Laws of Wisconsin*; *Selective List of Recent Acquisitions*; various sections of the *Bulletin of the Proceedings of the Wisconsin Legislature*; *Wisconsin Statutes and Annotations*; *Wisconsin Administrative Code and Register*; *Wisconsin Town Law Forms*; *WisLaw* on compact disc; informational reports on various subjects. (All informational reports and the *Blue Book* are also available on the Internet.)

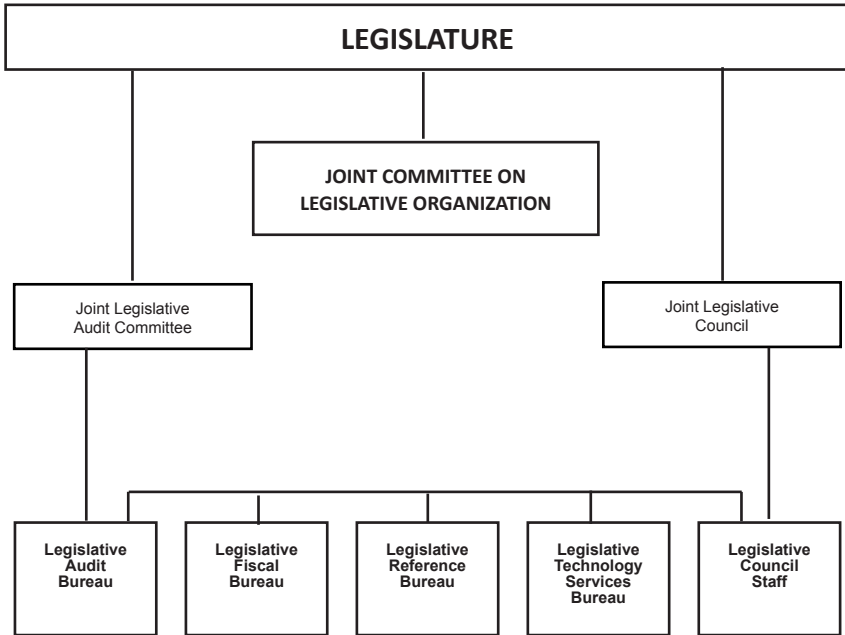
Number of Employees: 60.00.

Total Budget 2007-09: \$11,738,500.



Representative Pat Strachota of West Bend, in her third term in the Assembly, discusses policy with Representative Ed Brooks of Reedsburg, who is serving his first term in the legislature. (Jay Salvo, Legislative Photographer)

LEGISLATIVE SERVICE AGENCIES



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 before the bills are submitted for the governor’s action. The bureau also publishes each act and produces the bound volumes of all session laws enacted during the biennial legislative session.

The bureau incorporates newly enacted laws into the existing statutes. The bureau prints updated Wisconsin Statutes and Annotations every two years when the legislature completes its session and publishes quarterly updated versions of the statutes on its Internet site and on compact disc.

As part of its statutory revision duties, the bureau prepares corrections bills to correct errors or resolve conflicts arising from the enactment of laws and 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, the compilation of all current administrative rules that is updated monthly, 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.

The reference and library sections provide 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 *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.

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, author 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 not included in the classified service.

History: The creation of the Legislative Reference Bureau, originally the Legislative Reference Library, by Chapter 168, Laws of 1901, was the first organized effort in the nation to provide a state legislature with professional staff assistance. Initially under the governance of the Free Library Commission, the bureau soon began providing bill drafting services to the legislature, a task officially assigned by Chapter 508, Laws of 1907. The bureau acquired the duty of editing the *Wisconsin Blue Book* in 1929 (Chapter 194). In 1963, the legislature renamed the agency the Legislative Reference Bureau and placed it under the direction of the Joint Committee on Legislative Organization. In 2008, the legislature transferred statutory revision duties to the bureau.



The Assistant Minority Leader helps define his party's position on legislation. Senator Glenn Grothman of West Bend makes that position known to his colleague Spencer Coggs of Milwaukee, a member of the majority Democrats. (Brent Nicastro, Legislative Photographer)

LEGISLATIVE TECHNOLOGY SERVICES BUREAU

Director: JEFF YLIVISAKER.

Administration Manager: PAM BENISCH.

Enterprise Operations Manager: MATT HARNED.

Geographic Information Systems Manager: TONY VAN DER WIELEN.

Software Development Manager: DOUG DEMUTH.

Technical Support Manager: PHIL SCHWARZ.

Mailing Address: 17 West Main Street, Suite 200, Madison 53703.

Telephone: 264-8582.

Fax: 267-6763.

Internet Address: <http://www.legis.wisconsin.gov/ltsb>

Publications: *Wisconsin Legislative Biennial Strategic Technology Plan*, 2009-2010.

Number of Employees: 43.00.

Total Budget 2007-09: \$7,351,300.

Statutory Reference: Section 13.96.

Agency Responsibility: The Legislative Technology Services Bureau (LTSB) provides confidential, nonpartisan information technology services and support to the Wisconsin Legislature. These services include legislative office automation, e-mail, web publishing, training, project management, custom software creation, and management of the information technology infrastructure.

LTSB creates, maintains, and enhances specialized software used for bill drafting, production of the *Wisconsin Statutes* and *Administrative Code*, and publication of the *Wisconsin Blue Book*. It supports the publication of legislative documents including bills and amendments, house journals, daily calendars, and the Bulletin of the Proceedings.

The bureau also maintains network infrastructure, data center operations, electronic communications, desktop computers, laptops, printers, and other technology devices. It keeps an inventory of computer hardware and software assets and manages technology replacement schedules. It provides redistricting services following each decennial U.S. Census and mapping services throughout the decade.

LTSB also provides specialized software for managing constituent interactions, delivers audio and video services, supports the legislature during floor sessions including the voting systems, manages the technology for the Wisconsin Legislature's Internet site, and offers training services for legislators and staff in the use of information technology.

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.



Representative Pedro Colón of Milwaukee, a member of the Joint Committee on Finance since 2005, confers with Speaker Michael Sheridan on the Assembly floor. Sheridan is the first Assembly Speaker from Janesville since 1877. (Jay Salvo, Legislative Photographer)

**SUMMARY OF SIGNIFICANT LEGISLATION
ENACTED BY THE 2007 LEGISLATURE**

This section highlights significant legislation enacted by the 2007 Wisconsin Legislature in the biennial session that began January 3, 2007, and concluded January 5, 2009. The legislation is categorized by subject matter and in cases when an act affects more than one area of state law, such as 2007 Wisconsin Act 20 (the budget act), significant provisions are separately described under multiple subject headings. The section concludes with a summary of major proposals that failed to be enacted or adopted.

The following table summarizes activity in recent legislative sessions:

	Legislative Session				
	1999-2000	2001-02	2003-04	2005-06	2007-08
Total Drafting Requests	9,774	10,192	9,560	10,134	7,919
Bills Introduced	1,503	1,440	1,568	1,971	1,581
Assembly Bills	973	941	998	1,232	988
Senate Bills	530	499	570	739	593
Acts	198	109	327	491	242
Percentage of Bills Enacted	13.2%	7.6%	20.9%	24.9%	15.3%
Bills Totally Vetoed	5	0	54	47	1
Bills Partially Vetoed	10	3	10	2	4

SIGNIFICANT 2007-2008 LEGISLATION

Agriculture

Act 20 (SB-40) creates the Buy Local, Buy Wisconsin Program under which the Department of Agriculture, Trade and Consumer Protection (DATCP) promotes, through grants and other activities, local consumption of agricultural products produced in Wisconsin.



Floor action is the final hurdle for legislation – the point at which a bill’s merits are debated before it is voted on by the entire body. Representative Leah Vukmir of Wauwatosa, a veteran of four legislative sessions, addresses her colleagues on April 29, 2009. (Jay Salvo, Legislative Photographer)

Act 37 (*AB-52*) provides that a police dog who bites a person while performing law enforcement functions is not required to be quarantined under the rabies control law if the dog is immunized against rabies.

Alcoholic Beverages

Act 3 (*SB-52*) provides that on the Sunday that daylight saving time begins, certain beer and liquor retailers, including taverns, may remain open until 3:30 a.m.

Act 9 (*AB-122*) allows certain beer retailers, including grocery and liquor stores, to provide free samples of beer to customers.

Act 20 (*SB-40*) creates a brewpub permit for an applicant that makes 10,000 barrels of beer or less each year, operates a restaurant on the premises at which the sale of alcohol beverages is less than 60 percent of the restaurant's gross receipts, holds a retail beer license for the restaurant, and sells beer other than its own in the restaurant. A brewpub permit-holder may annually make up to 10,000 barrels of beer on the premises, bottle the beer, transport the beer to other brewpub or retail premises, sell and deliver the beer to wholesalers, annually sell at wholesale and deliver to retailers up to 1,000 barrels of the beer, and sell alcohol beverages at retail at the brewpub under the brewpub's retail license.

Act 85 (*SB-485*) makes numerous changes to laws related to wine distribution and production, and to distribution and sale of other alcohol beverages, including the following:

- Eliminates the reciprocal agreement system for authorizing interstate wine shipments directly to consumers in this state and replaces it with a new permit system available for both interstate and intrastate wine.
- Eliminates the authority of wineries, manufacturers, and rectifiers to sell wine at wholesale to retailers and eliminates the authority of rectifiers to sell liquor, other than wine, directly to retailers. The act eliminates the authority of a person holding an out-of-state shipper's permit to ship liquor to any person in Wisconsin other than a wholesaler or, under certain circumstances, to a manufacturer, rectifier, or winery.

Buildings and Safety

Act 11 (*SB-7*) changes terminology in the laws governing mobile homes, manufactured homes, and the mobile and manufactured housing industry, including standardizing the use of the terms "mobile home" and "manufactured home." The act clarifies the applicability of certain vehicle regulations to recreational vehicles and increases from two to three the minimum number of mobile or manufactured homes needed to qualify as a manufactured and mobile home community, which is subject to municipal regulation.

Act 14 (*AB-227*) requires an applicant for a building permit to complete at least 12 hours of continuing education every two years instead of six hours annually, as under former law.

Act 63 (*SB-167*) changes the standards for electrical wiring, and for inspection of electrical wiring, and the regulation of electricians. The act:

- Expands the scope of state and local standards for wiring and regulation of electrical inspections to include all buildings.
- Requires, with certain exceptions, that any person doing electrical work be licensed.
- Prohibits municipalities and counties from licensing electrical contractors and electricians.
- Expands the scope of state and local regulation of electrical inspections to include all buildings versus just public buildings and places of employment, as under former law.

Act 225 (*AB-717*) requires all cigarettes to be manufactured so that they extinguish when they are left burning without being smoked and requires cigarette manufacturers to mark packaging to show that the cigarettes meet the requirement.

Business and Consumer Law

Act 15 (*SB-133*) prohibits advertising or conducting a live musical performance using a false or deceptive connection between the performing group and a group that released a commercial recording.

Act 42 (*AB-207*) prohibits persons from providing video programming service, including cable television service, without a video service franchise granted by the Department of Financial Institutions, except that the act does not apply to video programming provided via satellite, broadcast television, wireless telecommunications, or Internet access. The act also provides requirements for persons granted video service franchises, including paying specific fees and maintaining certain service and privacy requirements, and regulation abilities of municipalities.

Act 125 (*AB-741*) directs the Legislative Audit Bureau to audit the economic development programs administered by the Department of Commerce (Commerce), the UW System, DATCP, the Department of Natural Resources (DNR), the Wisconsin Housing and Economic Development Authority (WHEDA), the Department of Tourism, the Technical College System, and the Department of Transportation (DOT) by July 1, 2012, and makes the following changes:

- Eliminates a number of unfunded, inactive, or duplicative economic development programs administered by Commerce, DATCP, or WHEDA.
- Consolidates several minority business grant and loan programs administered by Commerce.
- Consolidates several gaming economic development grant and loan programs administered by Commerce.
- Requires Commerce and other state entities to annually prepare comprehensive reports assessing economic development programs.
- Requires various state entities that administer economic development programs to establish goals and policies to improve the transparency and accountability of the economic development programs.

Act 226 (*March 2008 Special Session AB-1*) authorizes the addition of certain cell phone numbers to the “Do Not Call” directory maintained by DATCP.

Children

Act 20 (*SB-40*) makes the following changes to the laws relating to children:

- Creates the Department of Children and Families (DCF) on July 1, 2008; transfers from the Department of Health and Family Services (DHFS) to DCF the duty to provide or oversee county provision of various services to assist children and families, including services for children in need of protection or services and their families, adoption services, licensing of facilities that provide care for children, background investigations of caregivers of children, and child abuse and neglect investigations; and transfers from the Department of Workforce Development (DWD) to DCF administration of Wisconsin Works (W-2), including the child care subsidy program, child support enforcement and paternity establishment, and programs related to temporary assistance for needy families (TANF).
- Requires a juvenile court, when ordering a child to be placed outside the home under the supervision of a county or DHFS (DCF effective on July 1, 2008), and requires a circuit court, when transferring to a county or DHFS legal custody of a child found to be in need of protection or services in a divorce proceeding or other action affecting the family, to order the child into the placement and care of the county or DHFS and to assign the county or DHFS primary responsibility for providing services to the child. The act also requires a circuit court to include in an order transferring legal custody of a child certain findings, including a finding that continued placement of the child in the home would be contrary to the welfare of the child.

Act 104 (*SB-142*) requires day care center, group home, and shelter care facility staff who provide care for children to be proficient in the use of an automated external defibrillator, requires residential care centers for children and youth to have in each building that houses residents at



The majority party controls the agenda in a legislative body. Leaders of the Assembly Democrats discuss strategy during a recess of the March 24, 2009, floor session. (Brent Nicastro, Legislative Photographer)

least one staff member who has that proficiency, and requires shelter care facilities to have on the premises a staff member or other person who has that proficiency.

Constitutional Amendment

Enrolled Joint Resolution 26 (*Senate Joint Resolution 5*), approved by the 2007 Legislature on second consideration, prohibits the governor, in exercising his or her partial veto authority, from creating a new sentence by combining parts of two or more sentences of an enrolled bill. The electors ratified this amendment on April 1, 2008.

Correctional System

Act 20 (*SB-40*) makes the following changes relating to the correctional system:

- Expands the type of sex offenders required to be tracked using a global positioning system tracking device to include persons on lifetime supervision, persons about whom a special bulletin notification has been issued, and sex offenders whose results of a risk assessment test administered by the Department of Corrections (DOC) indicate that tracking is appropriate.
- Allows DOC and DHFS to provide substance abuse treatment programs to inmates who are eligible to earn early release to parole or to extended supervision.

Courts and Civil Actions

Act 20 (*SB-40*) creates the Judicial Council as an independent agency and authorizes the council to hire a staff attorney.

Act 179 (*AB-248*) allows part-time court commissioners to conduct preliminary examinations and arraignments and, with the consent of all parties, accept guilty pleas.

Crime and Criminal Procedure

Act 116 (*SB-292*) creates specific felonies of human trafficking and trafficking of a child. A business entity that engages in or benefits from trafficking may be dissolved or have its authorization to conduct business revoked.

Act 118 (*AB-8*) prohibits taking, exhibiting, or sending a depiction of a person in a locker room who is nude or partially nude without that person's consent. The act requires all owners

or operators of a locker room to adopt a written locker room policy that meets requirements specified in the act.

Act 127 (SB-260) makes it a felony to intentionally impede the normal breathing or blood circulation of another person by applying pressure on the person's throat or neck or by blocking the person's nose or mouth.

Act 181 (AB-597) makes it a felony to interfere with a signal transmitted by a global positioning system tracking device.



All members have an opportunity to be heard by their colleagues on the Assembly floor. Representative Kristen Dexter of Eau Claire, serving her first term in the Assembly, addressed the body on February 24, 2009. (Brent Nicastro, Legislative Photographer)

Education

Higher Education

Act 20 (SB-40) makes the following changes to the laws governing higher education:

- Creates the Wisconsin Covenant Scholars Program to award grants, beginning in the 2011-12 academic year, to resident students who are enrolled as undergraduates in institutions of higher education in this state. Requires the Higher Educational Aids Board to reimburse the Board of Regents of the UW System and each Technical College System district board for all tuition and fees remitted for a veteran or for a spouse, surviving spouse, or child of a veteran.
- Creates the following information technology (IT) requirements for the UW System: a) requires the submission of annual IT strategic plans and quarterly reports on open-ended IT contracts to the Board of Regents; b) requires the Board of Regents to adopt written policies for certain IT projects and to establish requirements for certain high-risk IT projects and commercially available IT

products; c) imposes contract requirements for certain high-risk or high-cost IT projects; and d) requires the Board of Regents to report to the Joint Committee on Information Policy and Technology regarding certain high-risk or high-cost IT projects and allows that committee to review such projects.

- Requires the Board of Regents to make available information regarding segregated fees on the Internet Web site of each institution or campus of the UW System and that a student's bills for tuition or academic fees separately list tuition, academic fees, and segregated fees.

Primary and Secondary Education

Act 20 (*SB-40*) makes the following changes to the laws governing primary and secondary education:

- Awards grants to school districts to implement four-year-old kindergarten programs.
- Awards grants to school districts for school district consolidation studies.

Act 34 (*SB-214*) requires a public library to disclose to a law enforcement officer, at the officer's request, all library records pertinent to the alleged criminal conduct being investigated by the officer that were produced by a surveillance device under the library's control.

Act 40 (*SB-249*) provides that a school district may use federal, state, local, or private funds to pay the costs of advanced placement examinations taken by pupils enrolled in the school district who are eligible for a free or reduced-price lunch under the federal School Lunch Program.

Act 222 (*SB-396*) authorizes school districts to establish virtual charter schools, in which all or a portion of the instruction is provided via the Internet and the teachers and pupils are geographically remote from each other, and to accept pupils for attendance at virtual charter schools through the Open Enrollment Program. The act limits to 5,250 the total enrollment of all virtual charter schools beginning in the 2009-10 school year. The act requires instructional staff of virtual charter schools to hold teacher licenses issued by DPI and directs the Legislative Audit Bureau to conduct a financial and performance evaluation audit of virtual charter schools.

Act 226 (*March 2008 Special Session AB-1*) requires any school district that offers a four-year-old kindergarten program to make the program available to all eligible pupils.

Elections

Act 52 (*AB-295*) makes voter registration numbers publicly accessible.

Act 56 (*AB-82*) permits the electors of a town sanitary district to recall elective town sanitary district commissioners.

Employment

Act 7 (*AB-123*) permits volunteer fire fighters and emergency medical technicians to be paid semiannually or annually. Generally, employees must be paid no later than 31 days after the wages are earned.

Act 159 (*AB-32*) prohibits employment discrimination based on military service. However, under the act, an employer may refuse to employ for a particular job an individual who has been less than honorably discharged if the circumstances of the discharge substantially relate to the duties of the particular job.

Environment

Act 20 (*SB-40*) creates the Lower Fox River Remediation Authority to issue bonds to pay the costs of cleaning up environmental contamination caused by discharges of pollutants into the Fox River, from Lake Winnebago to Green Bay. The act provides reimbursement for a portion of the costs of out-of-state disposal of sediments contaminated with high levels of polychlorinated biphenyls (PCBs). Act 20 also raises fees, called tipping fees, imposed on the disposal of solid waste in landfills, increasing revenues for the recycling fund and the environmental fund.

Act 227 (*April 2008 Special Session SB-1*) ratifies the Great Lakes-St. Lawrence River Basin Water Resources Compact (the compact). The compact took effect on December 8, 2008, after being ratified by the eight Great Lakes states, approved by the U.S. Congress, and signed by President Bush. The compact requires the states to enact laws relating to the withdrawal and

use of surface water and groundwater from the Great Lakes basin (the basin) that are at least as restrictive as requirements in the compact.

The compact generally prohibits new and increased diversions of water out of the basin. There are exceptions for new and increased diversions to provide water to the public in communities that are partly within the basin and partly outside of the basin (straddling communities), if certain requirements are satisfied, and for new or increased diversions to provide water to the public in communities that are entirely outside of the basin but within counties that are partly within the basin (communities within straddling counties), if more stringent requirements are satisfied.

The compact requires each state to regulate new and increased withdrawals of water from the basin by applying a decision-making standard, specified in the compact, to those withdrawals.

Under the act, DNR administers the requirements that apply to diversions and to water withdrawals in the basin through a permitting program. The act also requires reporting of large water withdrawals throughout the state to DNR. Finally, the act requires DNR to promote water conservation statewide, but generally DNR may not impose water conservation requirements outside of the basin.

Financial Institutions

Act 196 (*SB-483*) recreates the Wisconsin Uniform Securities Law to conform generally to the Uniform Securities Act of 2002. The act retains the general structure and substance of preexisting law with respect to securities registration and regulation of securities professionals and securities transactions, but makes numerous changes in definitions, requirements, enforcement, and administration related to the state's securities laws.

Act 211 (*SB-517*) alters the scope of the state's mortgage banking law by changing the definition of "loan" for purposes related to the regulation of mortgage bankers, mortgage brokers, and loan originators. The act narrows the definition of "loan" to apply only to loans for personal, family, or household purposes and only if the real property securing the lender's interest is located in this state.

Health and Social Services

Health

Act 102 (*AB-377*) requires a hospital that provides emergency services to an alleged victim of sexual assault to provide her with written and oral emergency contraception information and, if she is not pregnant and so requests, emergency contraception.

Act 106 (*SB-310*) changes laws governing donation of organs and other body parts to conform to the Revised Uniform Anatomical Gift Act of 2006. The changes include:

- Allowing a person who is 15 and one-half years old to make a donation that is effective upon death, subject to revocation of the donation by the donor's parent.
- Allowing new methods for making a donation, including using an organ donor sticker without other documentation or submitting a request for inclusion on a donor registry.
- Granting additional people the authority to make donations on behalf of another.

Medical Assistance

Act 20 (*SB-40*) required DHFS to request from the federal government the approval to implement a Medical Assistance (MA) program called BadgerCare Plus (BC+) that would provide health care benefits for eligible individuals. The request was granted, and BC+ began operating on February 1, 2008. BC+ replaces all of Badger Care and part of MA, so that certain persons eligible for MA will receive their health care coverage under BC+ instead. Generally, all of the following are eligible for BC+: a pregnant woman whose family income does not exceed 300 percent of the federal poverty level; a child under one year of age whose mother had coverage under MA or BC+ when the child was born; a child, including an unborn child, whose family income does not exceed 300 percent of the poverty level; a parent or caretaker of a child whose family income does not exceed 200 percent of the poverty level; and an individual, regardless of family income, who is under 21 years of age and who was in foster care on his or her eighteenth

birthday. Additionally, a child whose family income exceeds 300 percent of the poverty level may purchase coverage under BC+.

Public Assistance

Act 20 (*SB-40*) creates a two-year “real work, real pay” pilot project in W-2, under which DWD pays an employer a monthly wage subsidy for employing an individual who is eligible for a W-2 employment position. An employer must make a good faith effort to retain the employee as a permanent unsubsidized employee after the employee’s participation in the pilot projects ends.

Insurance

Act 20 (*SB-40*) transfers \$200 million over the 2007-09 biennium to the Medical Assistance trust fund from the Injured Patients and Families Compensation Fund (fund); appropriates moneys to cover any claims, up to \$100 million, that the fund is unable to pay because of insufficient moneys; and requires the board of governors of the fund to take the appropriation into account when setting health care provider assessments to be paid into the fund.

Local Law

Act 43 (*AB-254*) creates procedures for resolving boundary disputes between municipalities, for establishing common municipal boundaries, and for using alternative dispute resolution in municipal boundary, annexation, and land use disputes.

Act 49 (*SB-280*) authorizes an elective member of a political subdivision’s governing body to refuse his or her salary.

Act 114 (*SB-176*) denies salary and wages to a suspended or discharged member of the Milwaukee police force pending an appeal to the Board of Fire and Police Commissioners if criminal charges are pending against the officer and the charges arose out of the same conduct that resulted in the discharge or suspension. The act also allows the board to grant to either party, only for cause, an adjournment of a trial or investigation before the board.



Legislators often advocate for their proposals at public hearings. Representatives Mark Gundrum of New Berlin and Scott Newcomer of Hartland testified before the Assembly Committee on Public Safety regarding 2009 Assembly Bill 130, which would require certain drunken driving suspects to pay for the costs of blood tests if convicted. (Jay Salvo, Legislative Photographer)



The front row of the Assembly Chamber is assigned to leadership. This group of veteran Republicans assembled there for an impromptu strategy session on March 24, 2009. (Brent Nicastro, Legislative Photographer)

Act 184 (SB-269) prohibits a political subdivision from imposing a fee for a call for certain law enforcement services related to domestic abuse, sexual assault, or stalking.

Natural Resources

Conservation, Forestry, and Stewardship

Act 20 (SB-40) extends the Warren Knowles-Gaylord Nelson Stewardship 2000 program to fiscal year 2019-20 and increases the overall funding from \$803 million to \$1,663 million.

Fish and Game

Act 23 (AB-130) requires DNR to issue resident fish and game licenses, stamps, and other such approvals to members of the Wisconsin national guard who apply, regardless of their residency. This requirement allows the members to pay lower fees.

Act 51 (AB-296) allows the following persons to be considered residents for the purpose of receiving Wisconsin hunting, trapping, and fishing licenses, resulting in lower fees:

- Members of the armed forces reserve units that are located in this state.
- Members of the armed forces who are in active service and who are no longer Wisconsin residents but who resided in Wisconsin when they entered active service.

Act 119 (AB-334) requires DNR to designate wild swine and feral swine as harmful wild animals.

Navigable Waters

Act 204 (AB-297) makes various changes to the laws regulating piers, wharves, and similar structures, including the following:

- Exempts from permitting requirements certain piers and wharves that were put in place on or before February 6, 2004.
- Prohibits DNR from taking enforcement action against a riparian owner for the improper placement of a pier, a wharf, or certain other structures if the owner obtained authorization for that pier, wharf, or structure on or before February 6, 2004.
- Allows a pier or wharf that is exempt from permit requirements to be relocated

or reconfigured if the owner previously registered the pier or wharf with DNR and, before relocating or reconfiguring the pier or wharf, registers it again with DNR.

Act 226 (*March 2008 Special Session AB-1*) prohibits most people from possessing invasive fish species of a type specified by DNR. The act also prohibits a person from transporting a boat or boating equipment upon a highway if the boat or equipment has any nonindigenous species attached that is of a type that causes economic or environmental harm, or harm to human health.

Parks and Recreation

Act 29 (*AB-526*) imposes a speed limit of 55 miles per hour on snowmobiles operated during the night through the winter of 2009-10.

Act 35 (*SB-161*) names the state trail system the Aldo Leopold Legacy Trail System.

Occupational Regulation

Act 20 (*SB-40*) establishes new licensure and regulatory requirements for prescription drug wholesale distributors, including restrictions on the transfer of wholesale prescription drugs and requirements for prescription drug pedigrees that detail the movement of prescription drugs through the distribution chain.

Act 31 (*AB-153*) requires dentists to complete 30 hours of continuing education every two years as a condition of license renewal.

Act 202 (*SB-409*) authorizes the Pharmacy Examining Board to create exceptions to the general requirement that pharmacists dispense prescription drugs only at licensed pharmacies by authorizing a pharmacist to dispense prescription drugs at any of the following locations: 1) a health care facility; 2) the office or clinic of a person authorized to prescribe and administer drugs; 3) a county jail, rehabilitation facility, state prison, or county house of correction; and 4) specified correctional, detention, and residential care facilities for children and youth.

Real Estate

Act 44 (*AB-341*) allows a political subdivision to impose a charge to fund the acquisition or initial improvement of land for public parks as a condition for subdivision approval and specifies the conditions under which the dedication of lands for storm water facilities is accepted by a municipality.

Act 184 (*SB-269*) allows a tenant to terminate his or her tenancy if the tenant or the tenant's child faces an imminent threat of serious physical harm from another person by remaining on the premises and if the tenant provides the landlord with notice and a certified copy of any of the following: certain injunctions protecting the tenant or child from the other person; a condition of release ordering the person not to contact the tenant; a criminal complaint alleging that the person sexually assaulted or stalked the child or tenant; or a criminal complaint filed as a result of the person's arrest for domestic abuse against the tenant. The act allows a landlord to terminate the tenancy of a tenant who causes an imminent threat of serious physical harm to another tenant or tenant's child if the tenant causing the threat is the named offender against the other tenant or child in a threat or harm-prevention document.

State Government

Act 1 (*January 2007 Special Session SB-1*) creates a nonpartisan Government Accountability Board that replaces the Elections Board and the Ethics Board. The act prescribes procedures for the board's investigation and enforcement of elections, ethics, and lobbying laws.

Act 5 (*SB-39*) authorizes 31 positions at the Department of Justice for the analysis of deoxyribonucleic acid (DNA).

Act 20 (*SB-40*) makes the following changes to the laws governing executive branch agency information technology (IT) projects:

- Requires the Department of Administration (DOA) to adopt written policies for executive branch IT projects that are included in the annual strategic plans for each executive branch agency and that either exceed \$1 million or are vital to agency functions.
- Requires executive branch agencies to review commercially available products before initiating a customized IT development project and to justify to DOA the

development of a customized product.

- Requires DOA to submit, for each executive branch agency, detailed reports about high-risk and high-cost IT projects to the Joint Committee on Information Policy and Technology, including the original and updated costs, completion dates, and funding sources for the projects.

Act 20 also creates an Office of Energy Independence in DOA, which must work on initiatives for generating at least 25 percent of this state's power and transportation fuels from renewable resources, capturing at least 10 percent of the national emerging bioindustry and renewable energy markets, and ensuring that Wisconsin is a national leader in alternative energy research.

Act 20 also eliminates the Revisor of Statutes Bureau and transfers its functions to the Legislative Reference Bureau.

Act 166 (AB-450) requires that a United States flag that is displayed at a government building, structure, or facility be manufactured in the United States.

Act 217 (AB-212) designates the Wisconsin state tartan.

Act 226 (March 2008 Special Session AB-1) authorizes the secretary of administration to repurchase the state's right to receive any of the payments under the tobacco settlement agreement. The tobacco settlement agreement resulted from a settlement of lawsuits brought against U.S. tobacco product manufacturers. In 2001, the secretary sold the state's right to receive payments under the tobacco settlement agreement. The act further requires that all proceeds from the repurchase be deposited into the permanent endowment fund.

Taxation

Act 19 (SB-122) exempts from the property tax certain property used to treat waste or air contaminants.

Act 20 (SB-40) makes the following changes in the laws related to taxation:

- Creates income and franchise tax credits for all of the following: amounts paid by a health care provider for information technology hardware and software that maintains electronic medical records; amounts paid to install or retrofit service station pumps that dispense motor vehicle fuel consisting of at least 85 percent ethanol or at least 20 percent biodiesel; amounts paid for dairy manufacturing modernization or expansion; amounts paid to a community rehabilitation program to perform work for the taxpayer's business; and an amount equal to 10 cents per gallon for each gallon of biodiesel fuel produced by the taxpayer.
- Increases the excise tax on cigarettes from 77 cents per pack to \$1.77 per pack.
- Increases the excise tax on tobacco products from 25 percent to 50 percent of the manufacturer's list price.
- Lowers from \$25,000 to \$5,000 the threshold amount that requires DOR to post on the Internet the identities of persons with delinquent tax accounts.

Act 190 (AB-77) distributes school levy and lottery and gaming property tax credits to counties rather than to municipalities.

Transportation

Act 20 (SB-40) does the following:

- Incorporates into state law requirements of the federal REAL ID Act of 2005 necessary for federal agencies to recognize for an "official purpose" state driver's licenses and identification cards. The act requires DOT to verify certain information about applicants for driver's licenses and identification cards, including the applicant's identity, date of birth, and proof of citizenship or legal presence in the United States (as under preexisting law). DOT must retain for at least ten years a copy of any documentation verifying information. For certain noncitizen applicants, any driver's licenses or identification cards must identify the license or card as temporary. DOT must also cancel a driver's license or identification card if it receives notice that the person's presence in the United States is no longer authorized. Every driver's license and identification card must include a digital color photograph of the applicant. DOT must provide electronic access to DOT's driver's license and identification card records to

the driver licensing agencies of other states. These changes generally do not become effective until the later of May 11, 2008, or the date specified in a notice provided by DOT after DOT has determined that it is ready to fully implement the provisions of the act.

- Creates an additional federal fee of \$10 that must be paid to DOT for issuance, renewal, or reinstatement of a driver's license or identification card. The act doubles the valid period for an identification card, from four years to eight years, and doubles the identification card fee, from \$9 to \$18.

Act 94 (SB-369) restricts a person with an occupational driver's license to vehicles equipped with an ignition interlock device if the person has two or more violations relating to operating a motor vehicle while intoxicated and a court requires the person to use an ignition interlock device.

Act 111 (SB-116) changes the criminal penalties for repeat drunken driving offenses. A fifth or sixth offense is a Class H felony; a seventh, eighth, or ninth offense is a Class G felony; and a tenth or subsequent offense is a Class F felony.

Act 117 (SB-72) provides for the state to join the Midwest Interstate Passenger Rail Compact, which promotes and facilitates intercity passenger rail service in the Midwest and coordinates interstate passenger rail service. The compact creates a Midwest Interstate Passenger Rail Commission, the duties of which include funding and authorizing passenger rail improvements in the Midwest, seeking partnerships to improve passenger rail service, and seeking a long-term, interstate plan for high-speed passenger rail service.

Veterans and Military Affairs

Act 20 (SB-40) makes a number of changes in the laws regarding veterans and military affairs. The act:

- Requires the Department of Veterans Affairs to establish a voluntary statewide registry of information regarding veteran's health issues, including post-traumatic stress disorder and Gulf War syndrome.



One of the most high-profile bills of the early part of the 2009 session was Senate Bill 4, popularly known as Melinda's Law, which regulates traveling sales crews. Speaker Sheridan, a cosponsor of the bill, advocated its passage. (Brent Nicastro, Legislative Photographer)

- Increases from \$2,000 to \$3,000 the maximum amount available for subsistence aid to a veteran under the Veterans Assistance Program during a 12-month period and increases from \$5,000 to \$7,500 the total amount available to a veteran.
- Expands eligibility for burial at a veterans cemetery to include veterans who died while on active duty and deceased resident veterans who were released from active duty under conditions other than dishonorable.
- Provides funding to the city of Milwaukee for the housing costs of homeless veterans and their families.



The proposal to ban smoking in many public areas of the state was a hotly contested issue. Assembly Democrats discussed the issue prior to the floor debate on the bill on May 13, 2009. (Brent Nicastro, Legislative Photographer)

MAJOR PROPOSALS THAT FAILED ENACTMENT OR ADOPTION

Children

Assembly Bill 746 and *Senate Bill 401* would have raised from 17 to 18 the age at which an adult criminal court, rather than the juvenile court, has jurisdiction over a person who violates a criminal law.

Constitutional Amendments

Assembly Joint Resolution 17 would have required a photographic identification issued by this state or the federal government in order for a person to vote, or register to vote, at the polls on election day.

Assembly Joint Resolution 106 would have established the right of the people to contract privately for health care services and would have prohibited mandatory participation in a state-sponsored health care system or plan.

Courts and Civil Actions

Senate Bill 343 would have allowed creators of video programs, such as the Big Ten Network and the NFL Network, to seek arbitration regarding their attempts to broadcast their programs on certain cable and satellite television systems.

Assembly Bill 418 would have restricted access to the Consolidated Court Automation Programs (CCAP), the circuit court online database of civil and criminal cases, to judges and court officials, law enforcement personnel, attorneys, accredited journalists, persons who regularly review court documents as one of their job duties, and persons who have submitted a written application for access to the clerk of courts or district attorney and have shown a reasonable purpose for accessing CCAP.

Crime and Criminal Procedure

Assembly Bill 695 and *Senate Bill 537* would have modified the John Doe statute, which permits a person to file a complaint with a judge if the person believes a crime may have been committed and requires a judge who receives such a complaint to commence a proceeding to determine if a crime has been committed. *Assembly Bill 695* would have prohibited a John Doe complaint if the victim of the alleged crime was in custody, if the alleged crime occurred on property of DOC, DHFS, or a county jail, or if the crime was alleged to have been committed by certain DOC, DHFS, or law enforcement employees. Under *Senate Bill 537*, a judge who received a John Doe complaint but determined that a hearing was not necessary could have disregarded the complaint.

Employment

Assembly Bill 208 and *Senate Bill 80* would have required employers of traveling sales crews to register with DWD; imposed certain bonding, disclosure, safety, insurance, and other requirements on those employers; and prohibited certain employment practices by those employers.

Financial Institutions

Assembly Bill 218 would have adopted the Uniform Debt-Management Services Act, which was approved by the National Conference of Commissioners on Uniform State Laws in 2005.

Health and Social Services

Senate Bill 40 would have devoted certain cigarette tax and tobacco products tax revenues, an increased annual assessment on hospital gross revenues, tobacco settlement moneys, and moneys transferred from the injured patients and families compensation fund. The fund would have supported a board, an authority, and certain health care programs, including MA, that are currently funded from general purpose revenues.

Senate Bill 490 would have increased the annual assessment on gross revenues of hospitals to support certain MA provider reimbursements and would have transferred moneys to the Injured Patients and Families Compensation Fund.

Senate Bill 562 would have created the Healthy Wisconsin health care plan, funded through assessments paid by employers and persons employed in this state, to provide to all residents of the state who are under 65 years of age and not eligible for MA or for federal health care coverage the health care benefits that are provided under the state's health care plan for state employees.

Assembly Bill 216 would have required the Department of Justice, when conducting a background check on a prospective handgun purchaser, to check whether a court had determined that the person's mental health rendered him or her ineligible to possess a firearm under federal law.

Assembly Bill 834 and *Senate Bill 150* would have banned smoking inside all restaurants, taverns, and almost all other places of employment.

Insurance

Senate Bill 178 would have required health insurance policies to cover treatment for autism spectrum disorders.

Public Utilities

Assembly Bill 346 would have eliminated limits on the PSC's authorization of the construction of nuclear power plants.

State Government

Senate Bill 12 and *December 2007 Special Session Senate Bill 1* would have made extensive changes to campaign finance and related laws.

Assembly Bill 250 and Senate Bill 171 would have provided for public financing of campaigns for the office of justice of the supreme court.

Assembly Bill 272, Assembly Bill 355, and Assembly Bill 704 and Senate Bill 77, Senate Bill 182, and Senate Bill 463 would have expressly specified that the campaign finance law regulates certain communications that do not urge a vote for or against a candidate (“issue ads”).



Senate President Fred Risser of Madison reacts joyously upon the signing of the state smoking ban, the culmination of decades of advocacy. (Brent Nicastro, Legislative Photographer)