ASSEMBLY AMENDMENT 1,

TO 2005 ASSEMBLY BILL 41

April 15, 2005 – Offered by Representative GUNDRUM.

1   At the locations indicated, amend the bill as follows:

2   **1.** Page 6, line 25: after "rules" insert ", except for noncompliance with a rule

3   that conflicts with the common law, statutes, or rules of the state of Wisconsin".

4   **2.** Page 9, line 9: after "that" insert ", subject to sub. (6) (b),".

5   **3.** Page 11, line 9: after "rules" insert ", except for compliance with a rule that

6   conflicts with the common law, statutes, or rules of the state of Wisconsin".

7   **4.** Page 13, line 23: after "compact" insert ", except that those rules shall not

8   have the effect of statutory law and shall not be binding to the extent that those rules

9   conflict with the common law, statutes, or rules of the state of Wisconsin".

10   **5.** Page 14, line 2: after "process" insert ", except that the interstate

11   commission shall not have the power and duty to enforce compliance with any rule

12   that conflicts with the common law, statutes, or rules of the state of Wisconsin".

1 **6.** Page 19, line 2: after "amendment" insert ", except that no rule is binding

2 to the extent that the rule conflicts with the common law, statutes, or rules of the

3 state of Wisconsin".

4 **7.** Page 19, line 20: after "aside." insert "If the court finds that the rule conflicts

5 with the common law, statutes, or rules of the state of Wisconsin, the court shall hold

6 the rule unlawful and set the rule aside to the extent that the rule conflicts with the

7 common law, statutes, or rules of that state.".

8 **8.** Page 19, line 25: after "state." insert "If the legislature of the state of

9 Wisconsin rejects a rule by enactment of a statute or resolution in the same manner

10 used to adopt the compact, the rule shall have no further effect in that state.".

11 **9.** Page 20, line 6: after "promulgation" insert "to the extent that the

12 emergency rule does not conflict with the common law, statutes, or rules of the state

13 of Wisconsin".

14 **10.** Page 20, line 20: after "rules" insert ", except that the rules shall not be

15 received as evidence of the authorized statutes and administrative rules to the

16 extend that the rules conflict with the common law, statutes, or rules of the state of

17 Wisconsin".

18 **11.** Page 21, line 4: after "rules" insert ", except that no compacting state may

19 report on an issue or activity that pertains to compliance with any rule that conflicts

20 with the common law, statutes, or rules of the state of Wisconsin".

21 **12.** Page 21, line 9: after "states." insert "The interstate commission may not

22 promulgate a rule under this subdivision that conflicts with the common law,

23 statutes, or rules of the state of Wisconsin.".

1   **13.** Page 21, line 12: after "(c)" insert ", except that the interstate commission

2 may not enforce any rule that conflicts with the common law, statutes, or rules of the

3 state of Wisconsin".

4   **14.** Page 21, line 25: after "assessment" insert ", except that the interstate

5 commission may not promulgate a rule governing the assessment that conflicts with

6 the common law, statutes, or rules of the state of Wisconsin".

7   **15.** Page 24, line 10: after "rules" insert ", other than a rule that conflicts with

8 the common law, statutes, or rules of the state of Wisconsin".

9   **16.** Page 24, line 19: after "rules" insert ", other than a rule that conflicts with

10 the common law, statutes, or rules of the state of Wisconsin,".

11   **17.** Page 25, line 3: after "rules" insert ", other than a rule that conflicts with

12 the common law, statutes, or rules of the state of Wisconsin,".

13   **18.** Page 26, line 8: after "rules" insert ", other than a rule that conflicts with

14 the common law, statutes, or rules of the state of Wisconsin,".

15   **19.** Page 26, line 22: after "constitutions" insert ", the common law, statutes,

16 or rules of the state of Wisconsin,".

17   **20.** Page 26, line 25: after "rules," insert "but not including any rule that

18 conflicts with the common law, statutes, or rules of the state of Wisconsin,".

19   **(END)**