



Statutory Duties of Legislative Leaders

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Introduction

This report summarizes the statutes that specifically refer to legislative leaders and the Joint Committee on Legislative Organization. These statutes cover such topics as appointments by legislative leaders, reports made to legislative leaders, and certain duties imposed upon legislative leaders. The report does not cover the duties imposed upon legislative leaders under the rules of the assembly and the senate and the joint rules. The report is organized into the following topics:

- Operation of the legislative branch.
- Service on or appointments to nonlegislative boards.
- Agency rule making and procedure.
- Receipt of reports or other information.
- Miscellaneous duties and responsibilities.

Where appropriate, the report further organizes the topics into subtopics. The digital version of the report is searchable using terms such as “Speaker,” “president,” “presiding,” “majority,” “minority,” or “Joint Committee on Legislative Organization,” and, for certain requirements relating to appointments, using the term “standing committee.” It is important to note that article IV, section 8, of the Wisconsin Constitution grants each house of the legislature the power to “determine the rules of its own proceedings.” Thus, to the extent that a statute attempts to govern the proceedings of the legislature, the courts are unlikely to enforce the statute.

Operation of the legislative branch (Chapters 13, 16, 17, 20, 35 and 806)

Service on or appointments to legislative committees and organizations

Joint Committee on Employment Relations. Section 13.111 requires the following leaders to serve on the Joint Committee on Employment Relations and perform the duties assigned to it under subch. V of ch. 111, subch. II of ch. 230, and ss. 16.53 (1) (d) 1., 20.916, 20.917, and 20.923:

- (a) Senate cochairperson, Joint Committee on Finance.
- (b) Assembly cochairperson, Joint Committee on Finance.
- (c) Assembly majority leader.
- (d) Assembly minority leader.
- (e) Senate majority leader.
- (f) Senate minority leader.
- (g) Speaker of the assembly.
- (h) President of the senate.

Joint Survey Committee on Retirement Systems. Before the legislature may act on a bill or amendment that concerns the retirement of or payment of pension to public officers and employees, the bill or amendment must be referred to the committee to prepare a report that assesses the probable costs, the effect on the economic stability of the Wisconsin Retirement System, and the desirability of the proposal as a matter of public policy. Section 13.50 requires two majority party members and one minority party member from each house of the legislature, appointed as are the members of standing committees in their respective houses, to serve on the Joint Survey Committee on Retirement Systems.

Joint Survey Committee on Tax Exemptions. The Joint Survey Committee on Tax Exemptions must prepare reports on bills containing tax exemptions. Section 13.52 requires that the senate chairperson and vice chairperson of this committee be selected in the same way as are chairpersons and vice chairpersons of senate committees and that the assembly chairperson and vice chairperson be selected by the Speaker of the assembly. The statute also requires the presiding officer to refer any proposal that affects or creates a tax exemption to this committee instead of to a standing committee.

Joint Review Committee on Criminal Penalties. Section 13.525 requires one majority party member and one minority party member from each house of the legislature, appointed as are the members of standing committees in their respective houses, to serve on the Joint Review Committee on Criminal Penalties. The statute also permits the Speaker of the assembly, if a bill is introduced in the assembly and not referred to a standing committee, or the presiding officer of the senate, if a bill is introduced in the senate and not referred to a standing committee, to request the committee to prepare a report on the bill.

Delegates to National Conference of State Legislatures (NCSL). Section 13.57 (1) requires the Committee on Senate Organization for the senate and the Speaker of the assembly to appoint legislative delegates to NCSL. Also, vouchers to reimburse the actual and necessary expenses of the delegates to NCSL shall be certified by the chairperson of the Committee on Senate Organization for the senate and by the Speaker of the assembly.

Joint Committee on Legislative Organization. Section 13.80 creates the Joint Committee on Legislative Organization and specifies its membership and general authority to supervise and make policy for legislative staff.

Joint Legislative Council. Section 13.81 creates the Joint Legislative Council and specifies its membership, including the Speaker of the assembly and the president of the senate, the Speaker pro tempore of the assembly and the president pro tempore of the senate, and the senate and assembly majority and minority leaders. The statute requires the Speaker of the assembly and the president of the senate, or the designee of each from within the membership of that house on the council, to serve as cochairpersons of the council. The

statute also lays out matters relating to meetings, reports, and expenditures of the council and reimbursements and conferences on legislative procedure.

Law Revision Committee. Section 13.83 requires the Joint Legislative Council to appoint the Law Revision Committee prior to June 1 of each odd-numbered year and specifies the duties of the Law Revision Committee.

Special Committee on State-Tribal Relations. Section 13.83 (3) requires the Joint Legislative Council to appoint each biennium a Special Committee on State-Tribal Relations that studies issues and develops recommendations and legislative proposals relating to American Indians and the American Indian tribes and bands in this state.

Corrections Facilities Planning Committee. A nonstatutory provision of 2017 Act 59 creates the temporary Corrections Facilities Planning Committee and requires the committee to develop a comprehensive, long-range master plan concerning Department of Corrections facilities. The committee consists of members appointed by the governor and six members of the legislature, jointly appointed by the Speaker of the assembly and the senate majority leader. The committee terminates upon submission of the plan.

Juvenile Corrections Grant Committee. A nonstatutory provision of 2017 Act 185 creates the temporary Juvenile Corrections Grant Committee and requires the committee to establish and administer a juvenile corrections grant program. The committee includes, among other members, three senators appointed by the senate majority leader and three representatives of the assembly appointed by the Speaker of the assembly. The committee terminates on the date all grant-funded projects are completed or on January 1, 2021.

Reimbursements, employment, and compensation

Approval of mileage allowance claims. Section 13.08 (1) requires the presiding officer of each house to approve all claims for mileage reimbursement that are certified by the chief clerk of the applicable house after the commencement of each regular or special session.

Stipend for Speaker of the assembly. Section 13.121 (3) grants the Speaker of the assembly \$25 per month, payable monthly, in addition to the Speaker's compensation, expenses, and mileage as a member.

Approval of interim postage and clerical allowance. Section 13.123 (2) requires the Speaker of the assembly or the majority leader of the senate to file a written authorization with the appropriate chief clerk, authorizing members' expense allowances for postage and clerical assistance during any month in which the legislature meets for fewer than three days.

Reimbursement for attendance at meetings. Section 13.123 (3) permits a senator to obtain reimbursement for actual and necessary expenses incurred in attending a meeting outside the capital if the attendance was approved by the Committee on Senate Organization. The section permits a representative to obtain reimbursement for these expenses in attending an out-of-state meeting if the attendance was approved by the Committee on Assembly Organization, or in attending any other meeting within this state outside the capital, if the attendance was approved by the Speaker of the assembly.

Reimbursement of chief clerk's expenses. Section 13.15 (2) (c) requires the presiding officer of the applicable house to sign a voucher approving the reimbursement of the chief clerk for actual and necessary expenses incurred in any period when the legislature is not in session, and section 13.15 (2) (d) requires the Speaker of the assembly or the president of the senate to approve any reimbursement of the chief clerk for actual and necessary expenses incurred in attending approved conferences and other official meetings.

Reimbursement of sergeant at arms's expenses. Section 13.18 (2) (c) requires the presiding officer of the applicable house to sign a voucher approving the reimbursement of the sergeant at arms for actual and necessary expenses incurred in any period when the legislature is not in session.

Legislative employees. Section 13.20 grants the Joint Committee on Legislative Organization and the committee on organization in each house the authority to employ legislative staff and approve legislative staff compensation.

Appropriations and expenditures

Appropriation bills introduced before enactment of budget. Section 16.47, which deals with the executive budget bill, generally prohibits either house from passing any bill containing an appropriation or increasing the cost of state government or decreasing state revenues in an annual amount exceeding \$10,000 until the budget bill has passed both houses. However, if the senate and assembly committees on organization, the Joint Committee on Finance, or the governor provides a statement indicating that the bill is recommended as an emergency bill, the statute has two exceptions: first, the houses may pass any such bill if the governor or the Joint Committee on Finance recommends the bill to the presiding officer of either house, in writing, for passage; and second, the houses may pass any such bill if the senate and assembly committees on organization recommend passage to the presiding officer of their respective houses.

Legislative branch purchasing. Section 16.74 requires the Joint Committee on Legislative Organization or the particular house or legislative service agency to purchase all

supplies, materials, equipment, permanent personal property, and contractual services required within the legislative branch. The statute also specifies who must sign requisitions and contracts for legislative branch purchases.

Joint Committee on Legislative Organization studies. Section 20.765 (3) (f) appropriates the amounts in the ch. 20 schedule for the Joint Committee on Legislative Organization to conduct special studies contracted or otherwise approved by the joint committee.

Membership in national associations. Section 20.765 (3) (fa) authorizes the cochairpersons of the Joint Committee on Legislative Organization to pay fees entitling the legislature to membership in national organizations such as the National Conference of State Legislatures.

Relocation of capitol offices. Section 20.765 (4) (a) appropriates the amounts in the ch. 20 schedule to pay for relocation costs related to the assembly, the senate, and the legislative service agencies and requires expenditures from the appropriation to be approved by the cochairpersons of the Joint Committee on Legislative Organization. Also, s. 20.855 (3) appropriates the amounts in the ch. 20 schedule to pay for costs associated with the permanent or temporary relocation of offices located in the capitol and permits the Joint Committee on Legislative Organization to approve expenditures from the appropriation with regard to legislative offices.

Other duties and responsibilities

Development of session schedule. Section 13.02 (3) requires the Joint Committee on Legislative Organization to meet early in the session to develop a joint resolution creating a work schedule for the legislative session, which must include at least one meeting in January of each year.

Administering oaths of office. Section 13.03 allows the Speaker of the assembly, president of the senate, governor, secretary of state, attorney general, any court of record or the clerk thereof, any court of appeals judge, or any justice of the supreme court to administer the oath of office to the members and officers of the legislature. The statute also requires the oath to be filed with the secretary of state.

Approval of s. 13.10 actions by Joint Committee on Finance. Section 13.10 (4) requires the presiding officers to approve the minutes of all actions taken by the Joint Committee on Finance under s. 13.10 before those minutes are submitted to the Department of Administration.

Elections and terms of office for Speaker, deputy Speaker, and president of the senate.

Section 13.13 requires the election of a Speaker, a deputy Speaker, and a president of the senate and describes the terms of office for these leaders.

Flowers for the deceased. Section 13.14 (2) permits the senate and the assembly to procure floral pieces for deceased or ill members of the legislature and state officers who, in the judgment of the presiding officer and the chief clerk, have been identified with the legislative process. The expenses must be evidenced by a voucher, signed by the presiding officer or chief clerk of the applicable house.

Distribution of agency reports. Section 13.172 (2) and (3) permits the Speaker of the assembly or president of the senate to direct the chief clerk to distribute to members, committees, or other persons copies of reports that state agencies are required to file with the legislature.

Receipt of depositions in election contests. Section 13.235 requires that depositions concerning an inquiry of either house into a contested legislative election of its own house be received by the presiding officer within certain time limits.

Interpellation of appointive state officials. Section 13.28 requires any petition initiating the interpellation of an appointive state officer to be filed by the members initiating the interpellation with the presiding officer of the house to which the petitioners belong. Section 13.29 (1) requires the presiding officer who receives a petition initiating the interpellation of an appointive state officer to schedule a time for the meeting of the house or, if applicable, the joint session of the legislature before which the questioning will take place.

Subpoena of committee witnesses. Section 13.31 requires the presiding officer of the appropriate house to sign any subpoena directing a witness to testify before a committee.

Arrest of noncompliant witness. Section 13.32 requires the presiding officer to issue summary process requiring the sergeant at arms to arrest and deliver to the house any subpoenaed witness who has failed to attend the required committee hearing.

Interim successors for legislative leaders during an emergency. Section 13.41 establishes legislative leadership positions in the event of an emergency and legislative vacancies exist.

Virtual meeting of legislature and legislative committees. Section 13.42 establishes duties for presiding officers of each house whenever a house or its committees cannot physically meet because of an emergency resulting from a disaster or the imminent threat of a disaster.

Joint Survey Committee on Retirement Systems. Section 13.50 (6) permits the presid-

ing officer to order an independent actuarial opinion concerning the impact of a bill or amendment on the costs, actuarial balance, or goals of the Wisconsin retirement system. The committee must also produce a report on any bill creating or modifying a retirement system that covers public employees.

Joint Legislative Audit Committee. Section 13.53 subjects the Joint Legislative Audit Committee to the general supervision of the Joint Committee on Legislative Organization and lays out certain duties related to the interplay between the Joint Legislative Audit Committee and the Joint Committee on Legislative Organization.

Joint Committee on Legislative Organization. Section 13.90 sets forth the duties and powers of the Joint Committee on Legislative Organization and, in certain cases, the chairpersons of the Joint Committee on Legislative Organization. Under s. 5.05 (5f) the committee is an advisory entity to the Elections Commission on all matters relating to the operation of the commission.

Inquiry into legislative and staff misconduct. Section 13.905 authorizes the Joint Committee on Legislative Organization to inquire into alleged misconduct by members or employees of the legislature.

Legislative Audit Bureau and state auditor. Section 13.94 specifies the duties and responsibilities of the Legislative Audit Bureau and the state auditor, which are, in many cases, required to be performed at the direction of the Joint Committee on Legislative Organization. The statute requires the chief clerks to distribute copies of audits to the Joint Committee on Legislative Organization.

Historically significant furnishings. Section 16.838 permits the Joint Committee on Legislative Organization to direct the Department of Administration to take possession of and restore historically significant furnishings to which the department has title. The statute also permits the committee to direct the department to place the furnishings in specific locations in the capitol.

Legislative offices. Section 16.84 (5) permits the Joint Committee on Legislative Organization to direct the Department of Administration to lease or acquire office space for legislative offices or legislative service agencies.

Capitol parking. Section 16.843 (1) (b) requires the Joint Committee on Legislative Organization to approve a parking plan specifying the number of motor vehicles to be parked in the parking areas surrounding the capitol and, implicitly, requires the committee to provide a copy of the plan to the Department of Administration for the enforcement of parking restrictions.

Legislative resignations. Section 17.01 requires resigning legislators to present their resignations to the presiding officers of their respective houses and requires other resignations that must be presented to the legislature to be given to the presiding officer of each house or, if required to be addressed and delivered to either the assembly or the senate, to the presiding officer of that house.

Intervening in certain declaratory actions. Section 806.04 (11) permits the Joint Committee on Legislative Organization, the Senate Committee on Organization, or the Assembly Committee on Organization to intervene as a party in any declaratory action in which the constitutionality, construction, or application of any provision of ch. 13, 20, 111, 227, or 230, or subch. I, III, or IV of ch. 16, or s. 753.075 is at issue or any statute allowing a legislative committee to suspend or to delay or prevent the adoption of a rule is at issue.

Wisconsin Eye cameras. Nonstatutory language included as part of 2017 Wisconsin Act 59 authorizes the Joint Committee on Legislative Organization to approve appropriations to pay the cost of WisEye cameras, and to select the location for these cameras within the state capitol building.

Service on or appointments to nonlegislative boards or independent agencies (chapters 8, 13, 14, 15, 16, 114, 229, 234, 238, and 247)

Selection of names for presidential primary ballot. Section 8.12 (1) (b) requires the Speaker and the minority leader of the assembly and the president and the minority leader of the senate to serve or appoint a designee to serve on the committee that determines the names that will go on the presidential primary ballot. This committee meets on the first Tuesday in January in each year in which electors for president and vice president are to be elected.

Appointment of article V convention delegates. Section 13.176 (2) authorizes the legislature and the governor to appoint nine delegates to an article V convention called by Congress. Those delegates must include three members of the assembly appointed by the Speaker of the assembly, three members of the senate appointed by the president of the senate, one member of the assembly appointed by the minority leader of the assembly, one member of the senate appointed by the minority leader of the senate, and one member of either house appointed by the governor.

Building Commission. Section 13.48 (2) (a) creates the Building Commission and specifies its membership, including three senators and three representatives to the assembly, appointed by the senate majority leader and the Speaker of the assembly. It requires the two major political parties to be represented among the membership from each house.

Transportation Projects Commission. Section 13.489 (1g) creates the Transportation Projects Commission and specifies its membership, including five senators and five representatives to the assembly, appointed by the senate majority leader and the Speaker of the assembly. It requires three members from each house to be chosen from the majority party and two members from each house to be chosen from the minority party.

Disability Board. Section 14.015 creates the Disability Board, which is attached to the office of the governor, and requires the Speaker and the minority leader of the assembly and the president and the minority leader of the senate to serve on the board. The statute also permits the deputy Speaker of the assembly, the assistant minority leader of the assembly, the majority leader of the senate, or the assistant minority leader of the senate to serve on the board if the applicable member is unable to serve because of absence or disability.

State Council on Alcohol and Other Drug Abuse. Section 14.017 creates the State Council on Alcohol and Other Drug Abuse in the office of the governor. Serving on the council are two members of each house of the legislature representing the majority and the minority party, chosen as are members of the standing committees in the particular house.

Midwest Interstate Passenger Rail Commission. Section 14.86 creates the Midwest Interstate Passenger Rail Commission and requires the Speaker of the assembly to appoint one representative and the president of the senate to appoint one senator to the commission.

Midwestern Higher Education Commission. Section 14.90 creates the Midwestern Higher Education Commission and requires the Speaker of the assembly to appoint one representative and the president of the senate to appoint one senator to the commission.

State Council on the Interstate Compact on Educational Opportunity for Military Children. Section 14.91 creates the State Council on the Interstate Compact on Educational Opportunity for Military Children and requires the Speaker of the assembly to appoint one representative and the majority leader of the senate to appoint one senator to the council.

State Capitol and Executive Residence Board. Section 15.105 (5) creates the State Capitol and Executive Residence Board, attached to the Department of Administration. It requires the senate majority leader and the Speaker of the assembly each to appoint from their respective houses three members to the board.

Council on Affirmative Action. Section 15.107 (3) creates the Council on Affirmative Action in the Division of Personnel Management in the Department of Administration and requires the president and the minority leader of the senate and the Speaker and the minority leader of the assembly each to appoint one member.

Women's Council. Section 15.107 (11) creates the Women's Council, which is attached to the Department of Administration, and requires the president of the senate and the Speaker of the assembly to each appoint two public members. The statute also requires two members of the senate and two members of the assembly to serve on the council, each appointed in the same manner as are members of the standing committees in the applicable house.

Child Abuse and Neglect Prevention Board. Section 15.205 (4) creates the Child Abuse and Neglect Prevention Board, which is attached to the Department of Children and Families, and requires the president and the minority leader of the senate each to appoint one senator as a member of the board, and the Speaker and the minority leader of the assembly each to appoint one representative as a member of the board.

Milwaukee Child Welfare Partnership Council. Section 15.207 (24) creates the Milwaukee Child Welfare Partnership Council, which is attached to the Department of Children and Families, and requires the president and the minority leader of the senate each to appoint one senator to the council, and the Speaker and the minority leader of the assembly each to appoint one representative to the council.

Small Business Environmental Council. Section 15.347 (8) creates the Small Business Environmental Council in the Department of Natural Resources and requires the president and the minority leader of the senate and the Speaker and the minority leader of the assembly each to appoint one member who owns a "small business stationary source," as defined in the statutes, or who represents owners of small business stationary sources.

Sporting Heritage Council. Section 15.347 (21) creates the Sporting Heritage Council, which is attached to the Department of Natural Resources, and requires the senate majority leader and the Speaker of the assembly each to appoint from their respective houses two members to the council, who may not be members of the same political party.

Uniform Dwelling Code Council. Section 15.407 (10) (a) creates the Uniform Dwelling Code Council, which is attached to the Department of Safety and Professional Services, and reviews complaints regarding building inspectors under Section 102.62.

State Fair Park Board. Section 15.445 (4) creates the State Fair Park Board, which is attached to the Department of Tourism, and requires the majority leader and the minority leader of the senate each to recommend one senator for membership on the board, and the Speaker and the minority leader of the assembly each to recommend one representative for membership on the board.

Council on Tourism. Section 15.447 creates the Council on Tourism in the Department

of Tourism and requires one member of the majority party in each house and one member of the minority party in each house, appointed as are members of standing committees in their respective houses, to serve on the council.

Rustic Roads Board. Section 15.465 (2) creates the Rustic Road Board in the Department of Transportation and requires the chairpersons of the senate and the assembly standing committees having jurisdiction over transportation matters, as determined by the Speaker of the assembly and the president of the senate, to serve on the board.

Council on Highway Safety. Section 15.467 (3) (c) requires three representatives to the assembly, appointed by the Speaker of the assembly, to serve on the Council on Highway Safety, created by section 15.467 (3). Section 15.467 (3) (d) requires two senators, appointed by the senate majority leader, to serve on the same council. One member appointed from each house must also serve on a standing committee dealing with transportation matters.

Educational Communications Board. Section 15.57 creates the Educational Communications Board and requires one majority party and one minority party senator and one majority party and one minority party representative to the assembly, appointed as are the members of standing committees in their respective houses, to serve on the board.

Elections Commission. Section 15.61 (1) (a) creates the Elections Commission and requires the majority leader and the minority leader of the senate and the Speaker and the minority leader of the assembly each to appoint one member. The legislative leadership of the two major political parties receiving the most votes for president must also each prepare a list of three individuals who have served as municipal or county clerks from which the governor will nominate one person from each list. Similarly, the legislative leadership of the two major political parties receiving the most votes for president must also each prepare a list of three individuals who have served as judges elected to a court of record in this state from which the governor will nominate one person from each list.

Ethics Commission. Section 15.62 (1) (a) creates the Ethics Commission and requires the majority leader and the minority leader of the senate and the Speaker and the minority leader of the assembly each to appoint one member. The legislative leadership of the two major political parties receiving the most votes for president must also each prepare a list of three individuals who have served as municipal or county clerks from which the governor will nominate one person from each list. Similarly, the legislative leadership of the two major political parties receiving the most votes for president must also each prepare a list of three individuals who have served as judges elected to a court of record in this state from which the governor will nominate one person from each list.

Board of Curators of the Historical Society. Section 15.70 requires the Speaker of the assembly or his or her designee chosen from the representatives to the assembly and the president of the senate or his or her designee chosen from the members of the senate to serve on the Board of Curators of the Historical Society. The statute also requires one member of the senate from the minority party and one representative to the assembly from the minority party, appointed as are members of standing committees in their respective houses, to serve on the board.

Public Leadership Board. Section 15.915 (7) creates the Public Leadership Board. Two members must be appointed from a list of at least three names submitted by the Speaker of the assembly, and two members must be appointed from a list of at least three names submitted by the senate majority leader.

Federal-state relations office. Section 16.548 (1) requires the Joint Committee on Legislative Organization's concurrence in the appointment of a director and a staff assistant of a federal-state relations office, if the governor chooses to have such an office.

Wisconsin Aerospace Authority. Section 114.61 (1) creates the Wisconsin Aerospace Authority and requires the president of the senate and the Speaker of the assembly to each appoint one member of the governing board.

Special purpose districts. Section 229.42 (4) (f) allows a sponsoring municipality to create a special purpose district. The majority leader and the minority leader of the senate and the Speaker and the minority leader of the assembly, or their designees, serve on the board of directors of a special purpose district sponsored solely by a first class city.

Wisconsin Housing and Economic Development Authority. Section 234.02 (1) creates the Wisconsin Housing and Economic Development Authority and specifies its membership, including one senator of each party and one representative to the assembly of each party, appointed by the senate majority leader and the Speaker of the assembly.

Wisconsin Economic Development Corporation. Section 238.02 (1) creates the Wisconsin Economic Development Corporation and requires the senate majority leader and the Speaker of the assembly to each appoint three board members, one of whom shall be from the majority party and one of whom shall be from the minority party.

Wisconsin Artistic Endowment Foundation board of directors. Section 247.03 (2) requires two representatives to the assembly, one appointed by the Speaker of the assembly and one appointed by the minority leader of the assembly, and two senators, one appointed by the majority leader of the senate and one appointed by the minority leader of the senate, to serve on the Wisconsin Artistic Endowment Foundation board of directors.

Agency rule making and procedure (chapter 227)

Agency withdrawal of proposed rule. Section 227.14 (6) permits an agency to withdraw a proposed rule before filing the proposed rule with the Legislative Reference Bureau by notifying the presiding officer of each house of the legislature and the Legislative Council staff of its intention not to promulgate the proposed rule.

Housing impact analysis of proposed rule. Section 227.115 (2) requires the preparation of a housing impact analysis for any rule that may affect the cost of development, construction, financing, purchasing, sale, ownership, or availability of housing within the state. Once prepared, the analysis must be submitted to the chief clerks of each house of the legislature and distributed to the presiding officers of their respective houses, the chairpersons of the appropriate standing committees of their respective houses, and the cochairpersons of the Joint Committee for Review of Administrative Rules.

Notice of changes in agency rule-making authority. Section 227.15 (4) generally requires the Legislative Council staff to notify the Joint Committee for Review of Administrative rules and the appropriate committees of each house of the legislature, as determined by the presiding officer of each house, whenever the rule-making authority of an agency is eliminated or significantly changed by the repeal, amendment, or creation of a statute, by a court decision, or for any other reason.

Notice of proposed rule in final draft form. Section 227.19 (2) requires an agency to submit a notice to the chief clerk of each house of the legislature when a proposed rule is in final draft form. Each presiding officer must, within ten working days following receipt, refer the proposed rule to a standing committee. Each chief clerk must also enter a similar statement in the journal of the applicable house.

Agency modification of proposed rule. Section 227.19 (4) (b) 4. permits an agency to modify a proposed rule following the committee review period if the modification is germane to the subject matter of the proposed rule. The agency must recall the proposed rule and resubmit it, with the germane modification, to the presiding officer of each house of the legislature, who must re-refer the proposed rule for standing committee review.

Standing committee review following end of legislative session. Section 227.19 (4) (b) 6. requires the presiding officer of the appropriate house to re-refer a proposed rule for standing committee review if the committee to which the proposed rule was initially referred has not concluded its jurisdiction over the proposed rule before the day the next legislature convenes.

Standing committee objection to proposed rule. Section 227.19 (5) (a) specifies that a

committee may object to a proposed rule by reporting the proposed rule and the objection to the chief clerk of the appropriate house within five working days after making the objection. The chief clerk must then refer the proposed rule and the objection to the Joint Committee for Review of Administrative Rules within five working days after receiving the committee report.

Request for independent economic impact analysis of proposed rule. Section 227.19 (5) (b) 3. permits the Joint Committee for Review of Administrative Rules to request an independent economic impact analysis for a proposed rule. The statute requires the Committee on Assembly Organization and the Committee on Senate Organization to approve this request before the agency proposing the rule is notified. Once prepared, the analysis must be submitted to the chief clerks of each house of the legislature and distributed to the presiding officers of their respective houses, the chairpersons of the appropriate standing committees of their respective houses, and the cochairpersons of the Joint Committee for Review of Administrative Rules. Section 227.138 permits the Joint Committee for Review of Administrative Rules to request a retrospective economic impact analysis for a past rule change.

Joint committee review following end of legislative session. Section 227.19 (5) (b) 4. requires the presiding officer of the appropriate house to re-refer a proposed rule for review by the Joint Committee for Review of Administrative Rules if the joint committee initially reviewing the proposed rule has not concluded its jurisdiction over the proposed rule before the day the next legislature convenes.

Joint committee objection to proposed rule. Section 227.19 (5) (e) specifies that the Joint Committee for Review of Administrative Rules may object to a proposed rule by introducing in each house of the legislature a bill to support the objection. The statute requires the presiding officer of each house of the legislature to refer the bill to the appropriate standing committee within ten working days after introduction. Section 227.19 (6) (b) imposes further requirements on the presiding officer of each house of the legislature with regard to the process each house must follow in reviewing the bill.

Legislative suspension or repeal of administrative rules. Section 227.26 (2) (h) requires the presiding officer of each house of the legislature to refer any bill introduced in that house by the Joint Committee for Review of Administrative Rules that proposes to suspend or repeal an administrative rule to the appropriate committee, to the calendar scheduling committee, or directly to the calendar.

Declaratory action on ch. 227 or validity of administrative rules. Section 227.40 (5) requires that the Joint Committee for Review of Administrative Rules, with the approval of the Joint Committee on Legislative Organization, be made a party to any declaratory

action on the validity of an administrative rule. Section 806.04 (11) further requires that the Joint Committee on Legislative Organization be served with a copy of the petition in any declaratory judgment action in which ch. 227 or the meaning of any statute allowing a legislative committee to suspend, delay, or prevent adoption of a rule is at issue. The statute also permits the Joint Committee on Legislative Organization, the Senate Committee on Organization, or the Assembly Committee on Organization to intervene as a party in such actions.

Receipt of reports or other information (numerous chapters)

Challenge to residency qualifications. Section 8.28 (2) requires the clerk of courts to send the presiding officer of the appropriate house a copy of any judgment upholding a challenge to the residency qualifications of a member of that house. The house then determines whether the person is qualified to be seated or whether a vacancy exists.

Criminal violations of campaign finance laws. Section 11.1401 (3) (b) requires the court to certify its findings of certain criminal violations of the campaign finance laws to the presiding officer of the house to which the violating candidate was elected.

Criminal violations of prohibitions on certain election practices. Section 12.60 (2) (b) requires the court to certify its findings of certain criminal violations of the campaign finance laws to the presiding officer of the house to which the violating candidate was elected.

Grants to alleviate homelessness. Section 16.307 (2m) requires the Department of Administration to submit a report to the Speaker of assembly and the president of senate detailing expenditures for grants to alleviate homelessness.

Report on unemployment insurance. Section 16.48 (1) requires the secretary of workforce development to report to the Speaker of the assembly, the minority leader of the assembly, and the majority and minority leaders of the senate concerning the finances of the unemployment insurance reserve and proposed changes to the unemployment insurance laws.

Report concerning GPR revenue shortfalls. Section 16.50 (7) requires the secretary of administration to notify the legislature if, following the enactment of the biennial budget act, the secretary determines that previously authorized expenditures will exceed revenues in the current or forthcoming fiscal year by more than one-half of 1 percent of the estimated general purpose revenue appropriations for that fiscal year. The notice must be given to the presiding officers of each house of the legislature.

Report on energy needs of low-income households. Section 16.95 (9) requires the Department of Administration to give to the appropriate standing committees of the legislature, as determined by the Speaker of the assembly and the president of the senate, a five-year plan and a ten-year plan for the resolution of the energy needs of low-income households.

Report on public utility benefits grant programs. Section 16.957 (2) (d) permits the Speaker of the assembly or majority leader of the senate to specify to the Department of Administration items that the department must address in its annual report to the legislature concerning the public utility benefits grant programs.

Report on urban land conservation grants. Section 23.0957 (3) (d) requires each corporation that receives an urban land conservation grant to prepare a report detailing the activities for which the grant is expended. Each corporation shall then submit a copy of the report to the Department of Natural Resources and to the appropriate standing committees of the legislature, as determined by the Speaker of the assembly and the president of the senate.

Report concerning Ducks Unlimited conservation efforts. Section 23.0965 (2) requires Ducks Unlimited to annually submit to the presiding officer of each house of the legislature an audited financial statement of its use of certain conservation grants provided by the Department of Natural Resources.

Report on Ice Age Trail area grants. Section 23.295 (3) (f) requires each corporation receiving an Ice Age Trail Area Grant to provide to the appropriate standing committees of the legislature, as determined by the Speaker of the assembly or president of the senate, an annual report detailing the use of grant funds.

Submission of plan concerning State of Wisconsin Investment Board investments in this state. Section 25.17 (70) requires the State of Wisconsin Investment Board in certain circumstances to submit to the presiding officer of each house of the legislature a plan for making investments in this state.

Submission of audited financial statement of WPGA Junior Foundation. Section 41.24 (3) requires the WPGA Junior Foundation to submit to the presiding officer of each house of the legislature an audited financial statement of its use of funds provided by the Department of Tourism.

Child abuse prevention grants. Section 48.982 requires the Child Abuse and Neglect Prevention Board, biennially, to submit to the presiding officer of each house of the legislature a plan for awarding grants to organizations. The board shall evaluate the effective-

ness of the programs and by June 30 of each odd-numbered year submit a report to the appropriate standing committees of the legislature, as determined by the Speaker of the assembly and the president of the senate.

Report on Dental Reimbursement Pilot Project. Section 49.45 (24k) (c) requires the Department of Health Services to submit a biennial report on the Dental Reimbursement Pilot Project to the chief clerk of each house, the Joint Committee on Finance, and each standing committee of the legislature with jurisdiction over health or public benefits.

Report by pretrial intoxicated driver intervention program grant recipients. Section 51.49 (4) (b) requires recipients of grants under the pretrial intoxicated driver intervention grant program to submit a report to the Speaker of the assembly and the president of the senate summarizing the results of the program administered by the recipient.

Report on income taxes by residents of particular school districts. Section 73.03 (29) and (30) requires the Department of Revenue to analyze income tax data by school district and notify the presiding officers of the houses of the legislature of the results of the analysis.

Legislation concerning specific information road signs. Section 86.195 (10) requires the Department of Transportation to submit proposed legislation to the appropriate standing committees of the legislature, as designated by the presiding officer of each house, to bring Wisconsin law into compliance with federal law with regard to specific information road signs.

Report of land and water conservation board on proposed rules. Section 92.04 (3) (e) requires the Department of Agriculture, Trade and Consumer Protection to provide to the presiding officer of each house of the legislature a copy of any report prepared by the Land and Water Conservation Board dissenting from any proposed rules of the department for administering the statutes concerning soil and water conservation and animal waste management.

Nursing workforce survey and grant. Section 106.30 (3) requires the Department of Workforce Development to submit a report to the Speaker of the assembly and the president of the senate of its survey findings.

Activities of Agricultural Education and Workforce Development Council. Section 106.40 requires the Agricultural Education and Workforce Development Council to submit annually a report to standing committees, determined by the Speaker of the assembly and the president of the senate, on its activities.

Approval of agreements for the disposal of high-level radioactive or transuranic waste.

Section 196.497 (10) requires the Public Service Commission to submit to the Speaker of the assembly and the president of the senate any written agreement or modification to an agreement with the federal Department of Energy for the long-term disposal of high-level radioactive or transuranic waste. The statute requires the Speaker of the assembly or president of the senate, upon request of the commission, to introduce a bill to approve the agreement or modification.

Approval of technical revisions to agreements for disposal of high-level radioactive or transuranic waste. Section 196.497 (11) requires the Public Service Commission to submit to the presiding officer of each house of the legislature any technical revision to an agreement with the federal Department of Energy for the long-term disposal of high-level radioactive or transuranic waste. The presiding officers generally must refer the technical revision to one standing committee and must cause a statement to appear in the journal of the appropriate house that the technical revision has been submitted for review. The statute also establishes a procedure by which a standing committee or the governor may object to the revision by notifying the applicable presiding officer.

Recommendations on in-state repository of high-level radioactive waste. Section 196.497 (11m) (b) requires the Public Service Commission to submit a recommendation to the Speaker of the assembly and the president of the senate as to whether the state should accept any decision or plan by the federal Department of Energy to place a repository of high-level radioactive waste in Wisconsin. The statute also requires the Speaker of the assembly and the president of the senate, upon request of the commission, to introduce legislation approving or rejecting the decision or plan.

Report of Bradley Center Sports and Entertainment Corporation. Section 232.05 (2) (e) requires the Bradley Center Sports and Entertainment Corporation to annually provide the presiding officer of each house of the legislature with an audited financial statement on the operations of the Bradley Center.

Modification of Wisconsin Housing and Economic Development Authority (WHEDA) surplus fund. Section 234.165 (2) (b) 3. permits the governor to modify WHEDA's plan for using its surplus fund and requires the governor to submit the plan as modified to the presiding officer of each house of the legislature, who generally must refer the plan to appropriate standing committees within seven days.

Report of Wisconsin Artistic Endowment Foundation board of directors. Section 247.05 (2) (d) and (g) requires the board of directors of the Wisconsin Artistic Endowment Foundation to submit an annual financial statement to the presiding officer of each house of the legislature and to biennially review the foundation's priorities for certain

expenditures and report those priorities to the presiding officer of each house of the legislature.

Consultation with American Indians concerning air quality. Section 285.76 requires the Department of Natural Resources to notify the appropriate standing committees of the legislature, as determined by the Speaker of the assembly and the president of the senate, of a request by an American Indian tribal governing body proposing to hold a consultation meeting with the state concerning the application of certain federal air quality standards. The statute also requires the department to submit a report to the appropriate standing committees of the legislature, as determined by the Speaker of the assembly and the president of the senate, on the results of any consultations with an American Indian tribal governing body concerning the application of these federal standards.

Submission of comments concerning proposed metallic mining rules. Section 289.08 (3) requires the Department of Natural Resources to submit to the presiding officer of each house of the legislature any written comments received from members of the Metallic Mining Council concerning rules proposed by the Department of Natural Resources related to metallic mining.

Report on private inmate rehabilitation programs. Section 301.047 (4) requires the Department of Corrections to submit a report of its evaluation of private inmate rehabilitation programs to the appropriate standing committees of the legislature, as determined by the Speaker of the assembly and the president of the senate.

Notice concerning the interstate compact for adult offender supervision. Section 304.16 (12) (b) 1. c. and 3. requires the Interstate Commission regarding adult offender supervision to notify the majority and minority leaders of the legislature if the state's membership in the interstate compact is suspended or terminated due to default.

Submission of audited financial statement of Wisconsin Women's Health Foundation. Section 341.14 (8v) requires Wisconsin Women's Health Foundation to submit to the presiding officer of each house of the legislature an audited financial statement of its expenditures of moneys received from the Department of Transportation for special plates.

Submission of audited financial statement of Donate Life Wisconsin. Section 341.14 (8w) requires Donate Life Wisconsin to submit to the presiding officer of each house of the legislature an audited financial statement of its expenditures of moneys received from the Department of Transportation for special plates.

Submission of audited financial statement of Wisconsin Lions Foundation, Inc. Section 341.14 (9) (b) requires the Wisconsin Lions Foundation, Inc., to submit to the presiding

officer of each house of the legislature an audited financial statement of its expenditures of moneys received from the Department of Transportation for special plates.

Submission of audited financial statement of Wisconsin Trout Unlimited, Inc. Section 341.14 (10) (b) requires the Wisconsin Trout Unlimited, Inc., to submit to the presiding officer of each house of the legislature an audited financial statement of its expenditures of moneys received from the Department of Transportation for special plates.

Submission of audited financial statement of Wisconsin Law Enforcement Memorial, Inc. Section 341.14 (16) requires the Wisconsin Law Enforcement Memorial, Inc., to submit to the presiding officer of each house of the legislature an audited financial statement of its expenditures of moneys received from the Department of Transportation for special plates.

Submission of slow moving vehicle identification standards. Section 347.245 (2) requires the secretary of transportation to submit any changes to the standards and specifications for slow moving vehicle emblems to the assembly and senate committees having jurisdiction over transportation matters, as determined by the Speaker of the assembly and the president of the senate acting jointly.

Submission of comments concerning proposed real estate appraisal rules. Section 458.05 (5) requires the Department of Safety and Professional Services to submit any dissenting report received from the Real Estate Appraiser's Board concerning proposed rules regulating real estate appraising to the presiding officer of each house of the legislature.

Submission of comments concerning proposed auctioneer rules. Section 480.06 (4) requires the Department of Safety and Professional Services to submit any dissenting report received from the Auctioneer Board concerning proposed rules regulating auctioneering to the presiding officer of each house of the legislature.

Report concerning animal racing. Section 562.02 (1) (g) requires the Department of Administration, every three months, to file a written report on the operation of racing in this state with the president of the senate and the Speaker of the assembly.

Report of Judicial Commission. Section 757.97 requires the Judicial Commission to file its annual report with the presiding officers of the senate and the assembly, among others.

Report concerning payment or receipt of legal costs by agencies. Section 814.245 (10) requires each state agency that is ordered to pay costs in certain actions or that recovers costs in certain actions to report annually to the presiding officer of each house of the legislature the number, nature, and amounts awarded and the claims involved in the action in which the costs were incurred or recovered.

Miscellaneous duties and responsibilities (numerous chapters)

Review of legislation impacting energy availability. Section 13.0975 authorizes the Speaker of the assembly and the president of the senate to request that the Public Service Commission prepare an energy impact report in certain instances.

Referral of proposed rule relating to animal waste treatment. Section 13.565 requires the presiding officer of each house of the legislature to refer any proposed rule relating to animal waste treatment to a committee concerned with agriculture.

Condemnation of property for conservation, etc. Sections 23.09 (2) (d), 28.02 (2), and 32.02 (16) permit the Department of Natural Resources to condemn lands or waters suitable for specified purposes (e.g., state forests and wildlife areas) after obtaining approval of the appropriate standing committees in each house of the legislature as determined by the presiding officer.

Articles of dedication for natural areas heritage program. Section 23.29 (18) and (20) requires the appropriate standing committees in each house of the legislature, as determined by each presiding officer, to approve any proposed amendment of the articles of dedication of an area to the natural areas heritage program and to approve any proposed withdrawal of an area from the program.

Articles of dedication for Ice Age Trail areas. Section 23.293 (15) and (17) requires the appropriate standing committee in each house of the legislature, as determined by each presiding officer, to approve any proposed amendment of the articles of dedication of an Ice Age Trail area and to approve any proposed withdrawal of an area from the Ice Age Trail.

Class 1 printing specifications. Section 35.50 (3) generally requires the Department of Administration to determine specifications for class 1 printing with the advice and approval of the Joint Committee on Legislative Organization.

Educational Communications Board fundraising. Section 39.12 (3) permits the appropriate committee of each house of the legislature, as determined by the presiding officer, to examine the records of any nonstock corporation organized by the Educational Communications Board for the purpose of fundraising.

Child abuse prevention fundraising. Section 48.982 (2e) permits the appropriate committee of each house of the legislature, as determined by the presiding officer, to examine all records of any nonstock, nonprofit corporation organized by the Child Abuse and Neglect Prevention Board for the purpose of fundraising for the board.

Emergency succession to office of governor. Section 323.53 (1) states that, if, during a state of emergency resulting from enemy action or disaster, the governor is unavailable and the lieutenant governor and the secretary of state are unavailable, the attorney general, the state treasurer, the Speaker of the assembly, and the president of the senate shall in the order named if the preceding named officers are unavailable, exercise the powers and discharge the duties of the office of governor until a new governor is elected and qualified, or until a preceding named officer becomes available.

Selection of official state newspaper. Section 985.04 requires the Joint Committee on Legislative Organization to recommend to the legislature the official state newspaper and requires the joint committee to introduce its recommendation in the form of a joint resolution. ■