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# Wisconsin Legislative Council

## INFORMATION MEMORANDUM

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IM-2020-13

### **LEGISLATIVE PROCESS, RESOURCES, AND TERMS**

The principal function of the Legislature is the enactment of laws through the passage of bills. Generally, more than 1,000 bills are introduced in each legislative session, and a few hundred of those are enacted into law. This information memorandum provides an overview of the legislative process, including the preparation and introduction of bills and resolutions, amendment of bills, and enactment of laws. In addition, this information memorandum highlights informational resources relating to the legislative process, and provides a list of commonly used terms in the Legislature.

#### **LEGISLATIVE PROCESS**

##### **Bills and Resolutions**

###### **Preparation and Introduction of Bills**

The Wisconsin Constitution provides, in art. IV, s. 17, that no law shall be enacted except by bill. A bill may originate in either house of the Legislature and, when passed by one house, may be amended in the other house. After being passed by both houses in an identical form, a bill is presented to the Governor for approval or disapproval. Appropriations bills may be approved in whole or in part by the Governor, subject to certain limitations contained in Wis. Const. art. V, s. 10.

Each bill must be prepared for introduction by the Legislative Reference Bureau (LRB). [Joint Rule 51.] The process for preparing legislative proposals is highly systematic, so as to reduce errors in the process, to the greatest extent practicable. The LRB employs a staff of bill drafting attorneys who work to ensure that bills are drafted in proper form and accurately express the intent of the authors.

A bill may be introduced in either house only by a legislator, a legislative committee of that house, or a joint committee, including the Joint Legislative Council and its Law Revision Committee. Most bills are introduced by legislators. A legislator or committee may introduce a bill at the request of an individual, an organization, or a public official or agency, and may have the request noted in the heading of the bill.

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###### **Contents of Bills**

The first page of each bill provides its date of introduction, the authors and cosponsors, and the committee to which the bill was referred upon introduction. Each bill then lists the statutory sections affected by the bill, followed by a “relating clause” briefly stating the bill’s subject. Following the relating clause, each bill contains a LRB analysis of the bill in plain language. Included at the end of the LRB analysis are any notes about required fiscal estimates, committee reports, or other special requirements for the particular bill.

Each law is required by the Wisconsin Constitution to begin with the phrase: “The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:”. [Wis. Const. art. IV, s. 17.] This is called the “enacting clause” and is found after the LRB analysis. Following the enacting clause, the substantive provisions of the bill begin.

A bill may create a new statute, modify an existing statute, or repeal an existing statute.

A bill may create a new statute, modify an existing statute, or repeal an existing statute. Each bill may also contain nonstatutory provisions, usually relating to the initial applicability or effective date of a law, or directing an agency to take one-time action. These nonstatutory, or “nonstat,” provisions in bills that are enacted are not included in the state statutes.

### **Fiscal Estimates**

A fiscal estimate is required for any bill that makes an appropriation, increases or decreases an existing appropriation, affects state or local fiscal liabilities or revenues, or creates or modifies a court surcharge. [s. 13.093, Stats.] A fiscal estimate is a prediction of the cost of a bill to the state and, if appropriate, to political subdivisions of the state. It is prepared by the state agency most familiar with or affected by the proposal. It is common for more than one agency to prepare fiscal estimates on the same bill.

A fiscal estimate is required to be prepared and available before the Legislature can take any action on a bill. [s. 13.093, Stats.]

The bill’s author receives the agency’s prepared fiscal estimate prior to its publication to allow the author time to review the estimate. There is a five-working day delay from the day the bill’s author receives the estimate until the estimate is automatically published, unless the author authorizes earlier publication. If the author disagrees with the fiscal estimate’s accuracy, he or she may request that the agency rewrite the estimate. If the agency refuses to rewrite it, the author may request a supplemental fiscal estimate from the Department of Administration or the Legislative Fiscal Bureau (LFB). [Joint Rules 41 to 50.]

A fiscal estimate is a prediction of the cost of a bill to the state and, if appropriate, to political subdivisions of the state.

Executive budget bills are exempt, by statute, from the statutory fiscal estimate requirement. In addition, bills containing only penalty provisions are exempt from the requirement, but may be referred to the Joint Review Committee on Criminal Penalties for a report, as described below. [s. 13.093, Stats.; Joint Rule 41.]

### **Joint Survey Committee and Joint Review Committee Reports**

Bills containing the following types of proposals are statutorily required to be referred to the specified committees for the preparation of written reports: proposals relating to or affecting public retirement laws (Joint Survey Committee on Retirement Systems); and proposals that would affect tax exemptions (Joint Survey Committee on Tax Exemptions). These reports are statutorily required even if the proposed provision relating to one of those topics is only a small portion of a larger bill dealing primarily with other subjects. Proposals that would create a new crime or revise a penalty for an existing crime may be referred by the standing committee chairperson to the Joint Review Committee on Criminal Penalties for the preparation of a written report on the proposal. [ss. 13.50 to 13.525, Stats.]

The reports of joint survey or review committees are printed as appendices to the bill to which they relate and are distributed in the same manner as are amendments and fiscal estimates to the bill.

## Amendments and Substitute Amendments

After the introduction of a bill, a legislator may wish to see a portion of the bill changed or eliminated or may want to add provisions to the proposal. This can be proposed by the introduction of an amendment.

A **simple amendment** affects only a portion of a bill, while a **substitute amendment** redrafts the entire bill.

A **simple amendment** affects only a portion of a bill. It may propose one or more changes, deletions, or additions to a bill. Amendments may also be amended.

Amendments are only allowed to the second degree, i.e., an amendment to an amendment. [Joint Rule 99 (4); Senate Rule 51; Assembly Rule 52.] A simple amendment specifies particular changes to the bill by citing the page

and line numbers of the bill where the changes are to be made.

A **substitute amendment** is an amendment that redrafts the entire original bill and, if approved, replaces the original bill. [Joint Rule 99 (88).] A substitute amendment is frequently used when the proposed changes to a bill are so numerous or complex that a simple amendment would be confusing. A substitute amendment may also be amended by simple amendments.

If an amendment is recommended for adoption by a standing committee or adopted on the floor of either house, the Legislative Council staff prepares an amendment memo that explains how the amendment modifies the bill.<sup>1</sup> Amendments may be offered when a bill is in either house. For example, a Senate amendment may be offered to an Assembly bill after it has passed the Assembly and has been messaged to the Senate. If the Senate amendment is adopted, the bill, as amended, must return to the Assembly for approval of the Senate amendment before the bill can be presented to the Governor. This is done so that the identical version of a proposal is adopted by both houses of the Legislature.

Occasionally, when the two houses are unable to agree on amendments to a bill, a conference committee consisting of members from both houses will be appointed to settle these differences. This committee's recommendation or "report" may be accepted or rejected by each legislative house, but it cannot be amended. [Joint Rule 3.]

## Resolutions and Joint Resolutions

Resolutions and joint resolutions are legislative proposals that do not propose changes to laws, other than constitutional amendments, as described below, and do not require the approval of the Governor. They are, nevertheless, formal legislative proposals that may achieve meaningful results.

A **joint resolution** must be adopted to propose an amendment to the Wisconsin Constitution or to adopt joint rules of the Legislature.

A **resolution** is acted upon by the house of the Legislature in which it is introduced. Resolutions proposed in the Legislature may be proposed to achieve numerous purposes, including to:

- Adopt or modify procedural rules of the house.

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<sup>1</sup> Amendment memos can be found on the Legislative Council [website](#) under "Session Activities."

- Request an opinion of the Attorney General on the legality of a legislative proposal.
- Recognize a particular event or occasion, or extend the commendations, condolences, or congratulations of the house to a particular person or group.

A **joint resolution** is acted upon and adopted by the house in which it is introduced and concurred in by the second house. A joint resolution may be prepared for a number of reasons, including to:

- Create the session schedule for each biennial session of the Legislature.
- Propose an amendment to the Wisconsin Constitution.
- Ratify an amendment to the U.S. Constitution.
- Adopt joint rules regarding the conduct of business involving both houses.
- Direct or request an agency or committee (frequently the Joint Legislative Council) to conduct a study of an issue of public concern.
- Recognize a particular event or occasion, or extend the commendations, condolences, or congratulations of the Legislature to a particular person or group.

[Joint Rule 99 (39) and (71).]

## Laws and the Statutes

After both houses of the Legislature approve the identical form of a bill, the proposal is presented to the Governor for the Governor's action. The Governor may sign the bill into law, veto the bill,<sup>2</sup> or allow the bill to become law without his or her signature by not acting on the bill within six days (Sundays excepted) after the bill has been presented to him or her. [Wis. Const. art. V, s. 10.]

The Governor may sign a bill into law, veto a bill, or allow a bill to become law without his or her signature by not acting on the bill within six days after the bill has been presented to him or her.

If the Governor approves a bill, or the Legislature overrides the Governor's veto of a bill (or a bill is allowed to become law without the Governor's approval), notice of the enactment is published on the internet. Unless the bill otherwise provides, the bill takes effect on the day after its publication. [Wis. Const. art. IV, s. 17; ss. 35.095 and 991.11, Stats.]

After a bill is signed into law and published, it is called an **act**.<sup>3</sup> The acts of each legislative session are numbered chronologically in the order of their approval by the Governor (or their becoming law without such approval). For example, 2015 Wisconsin Act 1 was the first law enacted in the 2015-16 Legislative Session. At the end of the biennial legislative session, all acts are published in one or more volumes called the **Laws of Wisconsin** (also referred to as "**Session Laws**"). [ss. 35.095 and 35.15, Stats.]

The LRB incorporates new laws into the electronic version of the **Wisconsin Statutes** as they are enacted during the legislative session. Biennially, after completion of the legislative session,

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<sup>2</sup> For more information regarding gubernatorial veto authority, see Legislative Council Information Memorandum [2020-12](#), Governor's Partial Veto Authority.

<sup>3</sup> The Legislative Council staff prepares memoranda on each act. These act memos are available on the Legislative Council [website](#) under "Session Activities."

the LRB updates and publishes the hard copy version of the Wisconsin Statutes. [s. 35.18, Stats.] The [Wisconsin Statutes](#) are available on the Legislature's website.

## Administrative Rules

**Administrative rules** are promulgated by executive branch agencies and have the force and effect of law. Rules are issued to implement, interpret, or make specific the laws that are enforced or administered by the agency, or to govern agency procedures. [s. 227.01 (13), Stats.] The administrative rulemaking process is subject to oversight by the Legislature. Rules are published in the [Wisconsin Administrative Code](#) and available on the Legislature's website.

## RESOURCES

The following informational resources about the legislative process include online resources, and publications from various sources that describe legislative proposals, current laws, and other matters of interest to the Legislature. In addition, certain official legislative publications allow legislators, their staff, and the public to keep track of legislation as it moves through the legislative process, as well as other legislative actions.

### Sources

Information about the legislative process is available electronically from a number of different sources.

#### Wisconsin Legislature's Website

The Legislature's website (<http://legis.wisconsin.gov>) provides public access to all of the following:

- A quick-search field for **legislative proposals**.
- The **Law and Legislation** link, which is a publicly accessible, searchable database of bills and amendments, statutes, acts, the Administrative Code, and many other legislative documents.
- A **Notification Service**, which provides email tracking of legislative activities on proposals, committees, authors, and subjects.
- The **Committee Schedule** link, which provides a calendar for all scheduled public hearings and executive sessions for legislative committees.
- The **Senate Session** and **Assembly Session** links, which access the **InSession** website, provide information about the agendas for Senate and Assembly floor sessions, and provide links to live audiovisual coverage of floor sessions.
- The links to each **legislative service agency's** website, as described below.

#### Legislative Service Agency Websites

The legislative service agency websites<sup>4</sup> provide access to each agency's publications and services. The following list highlights some examples:

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<sup>4</sup> The websites are available under the "[Service Agencies](#)" tab on the Legislature's website.

- The **Legislative Audit Bureau** website includes audit reports, audio archives of Joint Legislative Audit Committee hearings, best practice reviews, and information about the Fraud, Waste, and Mismanagement Hotline.
- The **Legislative Council** website includes act memos and amendment memos, informational reports and memoranda describing various areas of the law, study committee records and materials, Law Revision Committee records, administrative rules and Rules Clearinghouse reports, and materials submitted to legislative standing committees during hearings.
- The **Legislative Fiscal Bureau** website includes budget papers that provide plain language analyses of the budget bill, informational papers describing various state programs, bill summaries, and revenue estimates.
- The **Legislative Reference Bureau** website includes bill drafting records, statutes, the Administrative Code and Register, the *Wisconsin Blue Book*, the *Fiscal Estimate Manual*, and informational reports and publications.

### **Folio Database**

The Folio database contains current and archived statutes, bill histories, journals, Assembly and Senate floor calendars, committee records, Clearinghouse Rules, Attorney General Opinions, acts, and indices to proposals and acts. Folio is only available to legislators and legislative staff on the legislative network.

### **WisconsinEye**

WisconsinEye maintains audiovisual recordings of many committee hearings and all legislative floor sessions, and some coverage of campaigns and other events. WisconsinEye can be found at: <http://www.WisEye.org>.

## **Official Legislative Publications**

### **Calendar**

Each house prints a calendar covering each day on which the house meets. The matters to be considered by the house on that day are listed and serve as an agenda for the business of the day. If a bill has been considered by a standing committee or joint committee, the report of the committee appears on the calendar with the notation of the bill. [Joint Rule 99 (8); Senate Rule 18; Assembly Rule 29.]

### **Journal of Proceedings**

The Wisconsin Constitution requires each house to keep and publish a Journal of Proceedings that contains a daily record of the actions of the house. The journals are prepared under the direction of each Chief Clerk and constitute the official record of each house. The journals reflect actions on bills, resolutions, and joint resolutions, and on amendments and substitute amendments to these proposals. They also record roll call votes, committee assignments and reports, procedural motions, messages from the other house, and executive communications. [Wis. Const. art. IV, s. 10; Joint Rules 73 and 99 (41).]

### **Bulletin of Proceedings**

The Bulletin of Proceedings is a cumulative summary of the status of each proposal before the Legislature. The bulletin contains the relating clause and the list of authors and cosponsors of

each proposal and the date on which it was introduced. It also gives a chronological list of each action taken on the measure. All information in the bulletin is cross-referenced to the page in the daily journals at which the details of the Legislature's action are noted. The bulletin also contains a separate booklet on all administrative rules submitted to the Legislative Council Rules Clearinghouse. The booklet contains a chronological list of actions taken on a rule by legislative committees. The Legislature's website contains indices to the Bulletin of Proceedings. [Joint Rules 76 to 78.]

### ***The Wisconsin Blue Book***

The Blue Book is an encyclopedia of information regarding Wisconsin state government. The Blue Book is compiled, edited, and published in each odd-numbered year by the LRB. It is also available electronically on the Legislature's website.

Each Blue Book contains at least one major article on some aspect of Wisconsin government of special current interest. In addition, it contains a wealth of information about Wisconsin, including all of the following:

- Biographies and pictures of elected officials and the officers of each house.
- A copy of the Wisconsin Constitution, along with the history of amendments that have been proposed and adopted.
- A description of the framework of Wisconsin state government.
- Descriptive materials and data relating to the organization of each branch of Wisconsin state government.
- Information on Wisconsin political parties.
- Information on recent elections in Wisconsin.

[s. 35.24, Stats.]

## **LEGISLATIVE TERMS**

Below are terms that are commonly used in the Legislature. Many terms are unique to the Legislature or have a different meaning in a legislative setting than in other contexts.

**Address:** A legislative procedure to remove any justice or judge from office. Any justice or judge may be removed from office by "address" of both houses of the Legislature, with the concurrence of two-thirds of all the members elected to each house.

**Adjourn:** To conclude a legislative day's business, a floor period, or a legislative session (regular, special, or extraordinary).

**Administrative rules:** Regulations, standards, or policies promulgated by executive branch agencies to implement statutes and administer agency programs. Administrative rules have the force and effect of law and are compiled in the Wisconsin Administrative Code. See also, "Clearinghouse rule."

**Amendment:** A suggested change to a bill or other proposal that has been introduced into the legislative process. An amendment may propose the addition, deletion, or substitution of language in a proposal. See also, "Simple amendment" and "Substitute amendment."

**Annual appropriation:** A sum certain appropriation that is authorized within the indicated fiscal year. Any unused funds remaining in the appropriation at the end of the indicated fiscal



year lapse (revert) back to the fund or account balance from which they were appropriated. See also, “Appropriation,” “Biennial appropriation,” “Continuing appropriation,” and “Sum sufficient appropriation.”

**Apportionment:** The process by which the seats in the U.S. House of Representatives are allocated to the states according to the relative population of the states. Reapportionment of House seats among the states occurs every 10 years following the U.S. Census. See also, “Redistricting.”

**Appropriation:** A legislative authorization for the expenditure of funds.

**Assembly:** One of the two houses of the Wisconsin Legislature. The 99 members elected to the Assembly are referred to as State Representatives.

**Assembly Committee on Rules:** The Assembly Committee on Rules (often referred to as the “Assembly Rules committee”) functions as a standing committee and as the calendar scheduling committee for the Assembly. The Assembly Rules committee consists of the speaker, speaker pro tempore, majority leader, assistant majority leader, majority caucus chairperson, minority leader, assistant minority leader, minority caucus chairperson, and four members from the majority party and three members from the minority party appointed by the speaker.

**Assembly Organization, Committee on:** The Committee on Assembly Organization, or “Assembly Org,” performs various functions relating to the operations of the Assembly. Assembly Org consists of the speaker, majority leader, assistant majority leader, speaker pro tempore, majority caucus chairperson, minority leader, assistant minority leader, and minority caucus chairperson. As compared to the Senate Committee on Organization in the Senate, Assembly Org plays a more limited role in the operations of the Assembly.

**Assembly Rules Manual:** The official procedural rules of the State Assembly adopted and from time to time amended by Assembly resolution. The Assembly Rules are published in a manual by the Assembly Chief Clerk.

**Assembly Speaker:** see “Speaker.”

**Assembly Speaker Pro Tempore:** see “Speaker Pro Tempore.”

**Author:** The legislator or legislative committee that introduces a bill or resolution. Members of the same house who “sign on” to the proposal are referred to as “co-authors.” Members of the other house who sign on are called “co-sponsors.”

**Bicameral:** A body having two branches, chambers, or houses. The Wisconsin Legislature is bicameral, consisting of the Senate and the Assembly.

**Biennial:** Lasting for two years. The Wisconsin Legislature uses a biennial session system.

**Biennial appropriation:** A sum certain appropriation that is authorized within the indicated biennium. Although the appropriations schedule in the statutes contains an identification of an estimated expenditure level for each year of the biennium, these figures are not controlling by year and expenditures are limited only by the total amount appropriated for the biennium. Any unused funds remaining in the appropriation at the end of the indicated biennium lapse (revert) back to the fund or account balance from which they were appropriated. See also, “Appropriation,” “Annual appropriation,” “Continuing appropriation,” and “Sum sufficient appropriation.”



**Bill:** A proposed change in state law originating in either house of the Legislature and, to become effective, requiring approval in identical form by both houses and approval by the Governor (or passage notwithstanding a gubernatorial veto or inaction).

**Blue Book:** Published since 1853, the Blue Book is an “almanac” of Wisconsin state government and includes comprehensive information about the organization and functions of Wisconsin state government and about elected and appointed officials.

**Budget bill:** A bill first proposed by the Governor and then introduced in the Legislature that outlines the expected state revenues and proposed expenditures for the upcoming fiscal biennium.

**Bulletin of Proceedings:** A publication specific to a particular legislative biennium containing procedural histories for all introduced proposals; a subject index to all bills, resolutions and session laws; a listing of the statutory sections affected by the session laws; and legislators’ names and committee assignments.

**Calendar:** The “Session Calendar” is the schedule of floor periods, and other actions for a biennial session, as laid out in the biennial scheduling joint resolution. The “Daily Calendar” is the Assembly or Senate agenda for a legislative day.

**Caucus:** A meeting of members of the same political party in a particular house of the Legislature. A caucus can be closed or open to the public.

**Censure:** In cases that do not merit expulsion, a legislative house may discipline one of its members through censure or reprimand by a majority vote of that house.

**Chair:** The head of a committee or, with respect to floor session, the position that the presiding officer fills.

**Chief clerk:** The officer elected by a house of the Legislature to perform and direct the clerical and personnel functions of that house.

**Clearinghouse rule:** A proposed administrative rule that has been assigned a Clearinghouse rule number by the Legislative Council Rules Clearinghouse. See also, “Administrative rules.”

**Committee:** A group of legislators appointed to consider and make recommendations on proposals related to particular subject areas, among other functions. Committees hold informational sessions, public hearings on proposals, and executive sessions.

**Committee clerk:** A member of a committee chair’s staff who performs the clerical duties for a legislative committee.

**Committee report:** A report to the house by a committee on the committee’s action on a proposal, administrative rule, or appointment. The process of a committee sending a proposal to the scheduling committee for floor action is referred to as “reporting” the proposal out of committee. Committee reports are reproduced in the legislative journals. See also, “Minority report,” “Joint survey committees,” and “Conference committee.”

**Committee work period:** The days designated by the biennial scheduling resolution for committee activity, usually comprised of all days not reserved for organizational business or floor periods.

**Conference committee or committee of conference:** A committee consisting of members from both houses of the Legislature that can be formed to resolve differences between different

versions of the same proposal passed in the Senate and Assembly. A report of a committee of conference may not be amended and may not be divided in either house.

**Confirmation:** Ratification by a house of the Legislature of a nomination for appointment by the Governor. In Wisconsin, most legislative confirmation is conducted by the Senate.

**Constitution, United States:** The document that establishes and organizes the structure and principles of the U.S. Government. The U.S. Constitution limits federal power by providing in the Tenth Amendment that powers not granted to the federal government nor prohibited to the states are reserved to the states or the people.

**Constitution, Wisconsin:** The document that establishes and organizes the structure and principles of the government of the State of Wisconsin. The Wisconsin Constitution shares many similarities with the U.S. Constitution, but it also provides much more detail about the structure and process of government than does the U.S. Constitution.

**Constitutional amendment:** An amendment to the state or federal constitution. In Wisconsin, a constitutional amendment is accomplished by the passage of identical joint resolutions by two successive Legislatures and ratification by the people by a referendum vote.

**Continuing appropriation:** An appropriation under which an agency may expend the amounts that have been made available by the Legislature at any time until the funds are exhausted or the appropriation is repealed. See also, "Appropriation," "Annual appropriation," "Biennial appropriation," and "Sum sufficient appropriation."

**Dipping a bill in Joint Finance:** The practice of satisfying the requirement under s. 13.093, Stats. (that proposals involving appropriations, revenue, or taxation be referred to the Joint Committee on Finance), by Senate or Assembly floor action temporarily referring a proposal to the Joint Committee on Finance and then "pulling" the proposal back to the floor for subsequent action.

**District:** The area of the state represented by a representative or senator.

**Draft:** A preliminary version of a legislative proposal. Also, the process of writing a legislative proposal. See also, "Slash number" and "Preliminary draft or P-draft."

**Drafter:** The person who writes a legislative proposal in the official LRB drafting format. The drafter is different than the "author," who is the legislator with the idea for a bill. The drafter of a proposal is generally an attorney employed by the LRB.

**Drafter's note:** An official note from the drafter to the requestor of the draft that provides additional information about the draft or raises questions or concerns for consideration by the requester.

**Engross:** To incorporate all adopted amendments and corrections to the original proposal in the house of origin before consideration by the second house.

**En masse:** Together, in a group. Wisconsin legislative committees routinely take up motions on less controversial matters "en masse," which allows them to vote on a number of items at once.

**Enroll:** To incorporate all amendments and corrections to a proposal that were passed, adopted, and concurred in by both houses.

**Executive session or "exec":** A legislative committee meeting during which the committee votes, or takes "executive action," on a bill or other proposal. The public is generally not allowed

to testify at an executive session. The word “exec” is also used to mean holding a committee vote on a proposal during an executive session.

**Ex officio:** A member of a board, committee, council, or other body who holds that membership because of holding another office. Many legislative leadership offices and other legislative positions include ex officio memberships on other bodies.

**Expulsion:** To remove a legislator from office. Each house may expel a member with the concurrence of two-thirds of all members elected. A member cannot be expelled a second time for the same cause.

**Extraordinary session:** The convening of the Legislature to accomplish specific business identified in the action calling the session. Extraordinary sessions can be called by the Assembly and Senate committees on organization, by petition, or by joint resolution of the Legislature. When used to continue a floor period of the regular session for a limited purpose, the extraordinary session is referred to as an “extended session.”

**First reading:** The formal recognition by a legislative body that a bill or other proposal has been introduced.

**Floor period:** Periods of time identified in the legislative session calendar as available for consideration of proposals by the full Assembly and Senate.

**General fund:** A fund that is not segregated for a particular purpose from which the state makes general expenditures for various programs.

**Hearing:** A legislative committee meeting during which the committee gathers information about proposals under consideration by the committee or other topics related to the committee’s assigned issue areas. Public testimony is generally accepted at legislative hearings.

**Impeach:** To charge a public official with misconduct. The Assembly may vote to impeach civil officers of this state for corrupt conduct in office, crimes, or misdemeanors. An affirmative impeachment vote in the Assembly requires the majority of all the members elected to the Assembly and serves as a formal accusation. Impeachment trials are conducted by the Senate, with conviction requiring an affirmative vote of two-thirds of the Senators present and constituting a quorum. An impeachment trial may result in removal from office and disqualification for other state office, but does not result in criminal liability.

**Incumbent:** The holder of an office or post.

**Interim:** A period of time of a legislative session beginning after the adjournment of the last regularly scheduled general-business floor period.

**Interstate compact:** An agreement between two or more states that is ratified by Congress.

**Introduction:** The formal offering of a legislative proposal, for consideration by the house in which it is introduced, by a legislator or a legislative committee. Once introduced, a legislative proposal is assigned a number, for example 2015 Senate Bill 1.

**Jacket:** The folder for an introduced bill that contains the official history file for that proposal. Assembly bill jackets are printed in black and Senate bill jackets are printed in red.

**Jefferson’s Manual:** A manual of parliamentary procedure authored by Thomas Jefferson.

**JCLO:** The Joint Committee on Legislative Organization. JCLO consists of the Assembly speaker, the Senate president, the majority and minority leaders of each house, and the assistant

majority and minority leaders of each house. Among other tasks, JCLO is responsible for adopting the compensation and classification plan for legislative employees.

**JCOER:** The Joint Committee on Employment Relations. JCOER consists of the Senate president, the Assembly speaker, the majority and minority leaders of each house, and the co-chairs of the Joint Committee on Finance. JCOER reviews and approves the compensation plan for state employees and reviews collective bargaining agreements for state employees and, if it approves such contracts, introduces legislation for their ratification.

**JCRAR:** The Joint Committee for Review of Administrative Rules. JCRAR consists of five Senators and five Representatives, appointed in the same manner as are the members of standing committees in each house. Prior to promulgation, all proposed administrative rules are referred to JCRAR following standing committee review. Additionally, JCRAR has the authority to temporarily suspend existing administrative rules.

**JFC or Joint Finance Committee:** The Joint Committee on Finance, a joint committee that is charged with review of all state appropriations and revenues and, in particular, the biennial budget recommendations of the Governor.

**Joint Legislative Audit Committee:** A joint committee comprised of five Senators and five Representatives, including the co-chairs of the Joint Finance Committee. The Joint Audit Committee oversees the work of the nonpartisan Legislative Audit Bureau and directs the Bureau to conduct audits and evaluations of state programs.

**Joint Legislative Council:** A joint committee comprised of 11 Senators and 11 Representatives that, among other actions, establishes study committees to examine major issues and problems identified by the Legislature and provides symposiums on topics of interest to the legislative branch.

**Joint Rules Manual:** The official joint procedural rules of the Assembly and Senate adopted and from time to time amended by joint resolution.

**Joint survey committees:** Statutory committees consisting of membership drawn from both houses of the Legislature, responsible for the review of legislation relating to subjects including criminal penalties, tax exemptions, and retirement systems.

**Journal:** The official records of legislative proceedings prepared by each house of the Legislature. The preparations of legislative journals is required under the Wisconsin Constitution.

**Leadership:** Officers of the Legislature responsible for its operation and management of each political caucus. Examples of legislative leadership positions include the Senate president, the Senate president pro tempore, the Assembly speaker, the Assembly speaker pro tempore, the majority and minority leaders of each house, the assistant majority and minority leaders of each house, and the chairperson for each caucus.

**Legislation:** A proposed or enacted law or change to a law.

**Legislative Audit Bureau or "LAB":** A nonpartisan legislative service agency that conducts financial and program evaluation audits of state agency operations.

**Legislative Council Staff or "LC":** A nonpartisan legislative service agency that staffs all standing committees except the Joint Finance Committee, provides legal, research, and administrative support services to Joint Legislative Council study committees, and assists individual legislators and staff, and others.

**Legislative Fiscal Bureau or “LFB”:** A nonpartisan legislative service agency that provides fiscal and program information and analyses to the Wisconsin Legislature, its committees, and individual legislators, and serves as staff to the Joint Finance Committee.

**Legislative Reference Bureau or “LRB”:** A nonpartisan legislative service agency that provides professional and confidential bill drafting, legal publishing, research, and library services to the Legislature and the public.

**Legislative rules:** The detailed code of parliamentary procedure that prescribes how the Legislature and legislative committees operate. In addition to the rules of each house, there are joint rules. The rules are published in an Assembly Rules Manual, a Senate Rules Manual, and a Joint Rules Manual.

**Legislative Technology Services Bureau or “LTSB”:** A nonpartisan legislative service agency that provides comprehensive technological services and support to the Wisconsin Legislature.

**Legislator:** An elected member of the Legislature.

**Lobby:** To attempt to influence an elected official on an issue. Lobbying is strictly regulated in Wisconsin and lobbying laws are administered by the Ethics Commission.

**Local law:** See “Special, private, and local laws.”

**Minority report:** A report of a member or members dissenting from a report of a committee stating the reasons and conclusions for that dissent.

**Motion:** A formal request made for a specific action to be taken in legislative committee executive sessions or during floor debate. Appropriate motions are determined by the applicable rules of procedure.

**Motion for adoption:** A motion seeking approval of an amendment to a proposal or of a resolution. See also, “Motion for rejection.”

**Motion for concurrence:** A motion in the second house to approve of (concur in) an action of the first house. See also, “Motion for passage.”

**Motion for passage:** A motion seeking approval of a legislative proposal that originated in the house considering the motion. See also, “Motion for concurrence.”

**Motion for rejection:** A motion seeking disapproval of an amendment to a proposal or of a resolution. See also, “Motion for adoption.”

**Nonpartisan:** Not based on, biased towards, influenced by, affiliated with, or supporting the interests or policies of a political party.

**Nonstatutory law or “nonstat”:** A provision in a bill or act that has a temporary application that is not continuing, and therefore is not included in statutory revisions.

**Notice:** A formal notification under the state’s Open Meetings Law of when and where a public meeting will occur and what issues will be addressed, provided in advance of the meeting.

**Notification service:** A service available on the Wisconsin Legislature’s Internet site that allows users to receive email notifications about specified legislative items and activities.

**Open meetings law:** A state law requiring that public meetings generally be open and made accessible to the public and that public notice be provided in advance of meetings.

**Open records law:** A state law requiring that governmental records generally be open and made available upon request.

**Paired voting:** A written agreement between two members of a house of the Legislature who are on opposite sides of a question not to vote on the question when one or both of those members are absent.

**Parliamentary procedure:** Rules, precedents, and practices used to guide discussion and deliberation and to maintain order during committee meetings and legislative floor sessions.

**Per diem:** An allowance for daily expenses.

**Point of order:** A request that the presiding officer rule on some matter of parliamentary procedure.

**Preliminary draft or “P-draft”:** A draft of a legislative document prepared for a legislator by the LRB that is preliminary in at least some respect, denoted by a “/P” after the LRB number on the document.

**Presiding officer:** The person presiding over the Senate or Assembly in a legislative session.

**Private law:** See “Special, private, and local laws.”

**Privilege:** Motions and requests related to the meetings, organization, rules, rights, and duties of the Senate or Assembly and its members. Privileged motions or requests take precedence over other questions before the body.

**Proposal:** A bill, amendment, or resolution before a legislative house awaiting action.

**Public hearing:** See “Hearing.”

**Pulling motion:** A motion requesting that the rules of a legislative body be suspended and a proposal be removed from a committee and placed before the body for consideration.

**Quorum:** The minimum number of members of a committee or legislative body that must be present for business to be conducted.

**Ratification:** Approval, consent, adoption, or sanction. For example, voters must ratify, by binding referendum vote, any change to the Wisconsin Constitution, and the states must ratify a proposed federal constitutional amendment.

**Reapportionment:** See “Apportionment.”

**Recall election:** A vote to decide whether an elected official will remain in office.

**Recess:** A temporary suspension of business.

**Recommendation:** The result of a legislative committee vote on a proposal, for instance, recommending passage of or concurrence in a bill.

**Reconsideration:** A motion to revisit an action of a committee or legislative body.

**Redistricting:** The process of changing the boundaries of legislative districts every 10 years following the U.S. Census, to reflect changes in population.

**Referendum:** A vote by the public on a measure that is passed by a legislative body. A referendum can be binding or advisory.

**Referral:** Assignment of a proposal to a legislative committee for its review.

**Relating clause:** The part of a proposal that identifies the general subject matter of the proposal.

**Reprimand:** See, “Censure.”

**Resolution:** A formal statement of opinion or intention passed by a legislative body. Resolutions in the Wisconsin Legislature can be proposed to both houses through a joint resolution. Amendments to the state constitution must be proposed by a joint resolution. Proposals to create, amend, or repeal a legislative rule and to set the Legislature’s session calendar are also made by resolution.

**Roll call:** The calling of the names of each member of a body to ascertain the members’ votes, to determine whether a quorum is present, or for other purposes.

**Second:** Support of a motion by an additional member, typically required for a motion to be recognized.

**Second reading:** The stage of consideration of a proposal during a floor session during which amendments to the proposal may be considered.

**Senate:** One of the two houses of the Wisconsin Legislature. The 33 members elected to the Senate are referred to as State Senators.

**Senate Organization, Committee on:** The Committee on Senate Organization, or “Senate Org,” has broad authority over the operations of the Senate. Senate Org generally consists of the majority leader, president, assistant majority leader, minority leader, and the assistant minority leader. As compared to Assembly Org, Senate Org plays a broader role in the supervision and management of the Senate.

**Senate President:** A member of the Senate elected by the membership to preside over the Senate and perform other duties specified in statutes and legislative rules.

**Senate President Pro Tempore or “President Pro Tem”:** A member of the Senate elected by the membership to carry out the duties of the Senate president in his or her absence.

**Senate Rules Manual:** The official procedural rules of the State Senate adopted and from time to time amended by Senate resolution. The Senate Rules are published in a manual by the Senate Chief Clerk.

**Sergeant-at-Arms:** The officer elected by the members of one house of the Legislature to perform and direct the police and custodial functions of that house.

**Service agencies:** The LRB, LFB, LAB, LC, and LTSB.

**Simple amendment:** An amendment that makes changes in the underlying proposal if adopted. See also, “Amendment” and “Substitute amendment.”

**Slash number:** The number signifying the version of a document drafted by the LRB. The “slash number” of a draft is the number following the “/” (slash) in the LRB number on the proposal, with the highest numbered version being the newest version.

**Speaker:** A member of the Assembly elected by the membership to preside over the Assembly and perform other duties specified in statutes and legislative rules.



**Speaker Pro Tempore or “Speaker Pro Tem”:** A member of the Assembly elected by the membership to carry out the duties of the Assembly speaker in his or her absence.

**Special order of business:** A proposal ordered by the Senate or Assembly to be given consideration at a specified time and taking precedence over the regular orders of business at that time.

**Special, private, and local laws:** Enactments of the Legislature that relate to a closed classification or are specific to a person, place, or thing and do not relate to a state responsibility of statewide dimension and do not have a direct and immediate impact on a statewide concern or interest. The Wisconsin Constitution generally prohibits private or local enactments unless forwarded in a single subject bill with that subject expressed in the title of the bill. The constitution also prohibits such enactments in specific instances even if the above requirement would be met.

**Special session:** A session of the Legislature convened by the Governor to accomplish a special purpose.

**Spill draft:** A portion of a bill drafted separately from other parts of the bill. The state budget bill is a compilation of many separate spill drafts.

**Stand informal:** A brief informal recess of legislative proceedings, expected to be short in duration, during which members are advised to remain in the room rather than depart with plans to return at a certain time. Generally, if members intend to break for a longer period or if either legislative party wishes to convene in caucus, a member will request a recess.

**Statutes:** The compiled general laws of the state created by legislation.

**Stripes:** The cover sheet for the official copy of an introduced amendment that contains the official history of that proposal. Assembly “stripes” have black margins and printing and Senate “stripes” have red margins and printing.

**Study committee or special committee:** A committee appointed by the Joint Legislative Council to examine major issues and problems identified by the Legislature. Study committees are made up of legislators and citizens who are interested in or knowledgeable about the study topic and usually do most of their work when the Legislature is in recess. Study committees are staffed by the Legislative Council staff and make legislative recommendations to the Joint Legislative Council.

**Substitute amendment or “sub”:** An amendment that replaces the underlying proposal if adopted. See also, “Amendment” and “Simple amendment.”

**Sum sufficient appropriation:** An appropriation under which an agency may expend any amount necessary for the program subject only to any other specific program restrictions. An estimate of the amount that will be expended by the agency in each fiscal year is included in the appropriations schedule in the statutes, but an agency may spend more or less than the amount indicated. See also, “Appropriation,” “Annual appropriation,” “Biennial appropriation,” and “Continuing appropriation.”

**Summary of Proceedings:** See “Bulletin of Proceedings.”

**Suspension of the rules:** A motion to take a temporary action otherwise prohibited by rule that requires the support of two-thirds of the members present.

**Table:** A motion to temporarily set aside a proposal and move to other business.

**Testimony:** Oral or written remarks provided by interested persons about a proposal being considered during a public hearing of a legislative committee.

**Third reading:** The stage of consideration of a proposal during a floor session during which bills and other proposals come up for final discussion and possible passage. No amendments may be considered at this point.

**Twenty-four hour rule:** A rule sometimes imposed by legislative committee chairs requiring that any amendments to be considered in executive session must be distributed to the committee members at least 24 hours prior to the executive session.

**Unanimous consent:** A motion asking for unanimous approval of a question without a roll call vote. If an objection is not heard, it is assumed that the request has the consent of all members.

**Uniform act or uniform law:** A proposal sponsored by the Uniform Law Commission or other group that is designed to be adopted, in whole or substantially, by all the states (at their option) so that the law on the subject of that proposal will be similar from state to state.

**Veto:** The action by which all or a part of a bill is rejected by the Governor.

**Veto override:** A vote of both houses of the Legislature to overturn a gubernatorial veto. To be successful, such a vote must receive a two-thirds vote in both houses.

**Voice vote:** A vote taken by asking members in favor to say “aye” simultaneously and then asking those opposed to say “no” or “nay” simultaneously, with the presiding officer deciding which side prevails.

**WisconsinEye:** A statewide, independent, multimedia public affairs network that focuses on state government, public policy, and civic life. WisconsinEye records and archives all legislative sessions and many legislative committee meetings.

**Withdraw:** A request by the person who made a motion to remove the motion from consideration.

**Zoom calendar:** A portion of a day’s legislative calendar for which procedures are expedited by prior agreement of the leadership teams of both political caucuses.

This information memorandum was prepared by Rachel Letzing and Dan Schmidt, Deputy Directors, on November 10, 2020.