Understanding the State and Local Legislative Process

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Levels of Government

• Federal
• State
• Local (County, City or Town, Lake District)
Federal

Don’t deal with much in Wisconsin because:

• EPA delegated authority to manage waters under Clean Water Act to state
Local

- Similar process to state
- Hard to discuss in general because it varies by jurisdiction
- Terminology may be different (e.g. “ordinances” vs. “laws”)
• Sources of authority
  • Delegated by United States via EPA
  • State Constitution – the “Public Trust Doctrine”
“Laws” vs “Rules”

• Laws (statutes) are passed by the legislature and signed by Governor
• Rules (administrative code) are developed by agencies
  • Must be authorized to do so by a statute
  • Governor approves concept, agency develops rule, Governor and Legislature approve
  • E.g. Shoreland zoning – Wis Statute 59.692 authorizes shoreland zoning rules in NR115
Formation of a Law

- Bill is introduced by a legislator and submitted to a committee
- Committee chair decides if and when to hold public hearing
- After public hearing, committee may or may not vote on bill
- If bill passes committee, goes to full house of legislature
- Bill passes one house, is sent to other for the same process
- If the same language passes both houses, goes to governor for signature
Two types of legislation

- Budget bill
- Everything else
Legislative timeline

- Legislative session is two years
- Budget is worked on Feb-June of 1\textsuperscript{st} year of session
- Other legislation is before budget work, and then winter-spring
- Floor periods are limited
Timeline for state budget development

- Fall 2016: Agencies submit budget requests to Governor
- Feb 2017: Governor announces Executive Budget Proposal
- Mar 2017: Legislature’s Joint Finance Committee Hold Hearings with Agencies and Public
- April 2017: Joint Finance Committee votes on each section of the budget
- May-early June: Full legislature votes
- June 2017: Governor signs in full, vetoes in full, or exercises line item vetoes
- June 2017: Legislature can override vetoes (rarely happens)

• State budget is biennial – 2 years (July 2017-June 2019)
Agencies started work back in early 2016, submitted budgets to Governor’s office in fall of 2016

- This would indicate any changes in programs or needs for increased or decreased funding
- DNR’s submission made few changes from last budget – small decrease in funds, -9.5FTE
Fall 2016 Agencies submit budget requests to Governor

Feb 2016 Governor announces Executive Budget Proposal

Mar 2017 Legislature’s Joint Finance Committee Hold Hearings with Agencies and Public

April 2017 Joint Finance Committee votes on each section of the budget

May-early June Full legislature votes

June 2017 Governor signs in full, vetoes in full, or exercises line item vetoes

June 2017 Legislature can override vetoes (rarely happens)

• Called the “Executive” budget
Fall 2016
Agencies submit budget requests to Governor

Feb 2017
Governor announces Executive Budget Proposal

April 2017
Joint Finance Committee votes on each section of the budget

May-early June
Full legislature votes

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June 2017
Legislature can override vetoes (rarely happens)

Mar 2017
Legislature’s Joint Finance Committee Hold Hearings with Agencies and Public

- Agency hearings allow legislators to ask questions of agency heads – can be more theater than informational
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April 2017
Joint Finance Committee votes on each section of the budget

- Takes place over several weeks
- JFC can add, delete, and change items
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- Legislation can make changes just like JFC
- Versions passed by Assembly & Senate must exactly match. Differences are worked out via a “conference committee”
- The Governor can veto particular sections of the bill, called a “line item veto.” Prior to 2008, could veto parts of sentences. Prior to 1990, could veto individual letters and numbers.