

funds). Under the motion, these increased costs would be addressed by state agencies from base resources.

27. *Legislative Organization and Powers.* Modify the authority and organization of the Legislature in the following areas as indicated.

a. *Joint Survey Committee on Retirement Systems.* Delete current law which provides that the Joint Survey Committee on Retirement Systems (JSCRS) be composed of 10 members as follows: (1) two majority party senators, one minority party senator, two majority party representatives, and one minority party representative, appointed as are the members of standing committees in their respective houses; (2) an assistant attorney general appointed by the Attorney General; (3) a member of the public who is not a participant in any public retirement system in Wisconsin, to be selected by the Governor; (4) the Commissioner of Insurance or an experienced actuary in the Commissioner's Office designated by the Commissioner; and (5) the Secretary of Employee Trust Funds or his or her designee. Instead, provide that JSCRS continue to be composed of 10 members, consisting of five senators and five representatives appointed as are members of standing committees in their respective houses. With the elimination of nonlegislator members from JSCRS, delete the requirement that the secretary of JSCRS be elected from the nonlegislator members of the committee. Delete current law which provides that legislators, the assistant attorney general and the member of the public appointed to JSCRS under current law serve for a period of four years and until a successor is appointed and qualified. Further, delete current law which provides that any member of JSCRS ceases to be a member of the committee upon losing the status upon which the appointment was based. Finally, delete current law which specifies that membership on JSCRS must not be incompatible with any other public office.

b. *Legislative Audit Bureau.* Amend current law to provide that any audit by the Legislative Audit Bureau (LAB) of the operations of the Wisconsin Veterans Home at Chippewa Falls by any private entity would be performed at such times as the Legislature directs, instead of at such times as the Governor or Legislature directs. Delete the authority of the Governor to direct the LAB to make special examinations of the accounts and financial transactions of any department, agency, or officer.

c. *Public Records.* Provide that the records and correspondence of any officer of the Legislature, any legislative employee, and of any legislative service agency would not be considered public records for purposes of public records preservation by the Public Records Board. Under current law, the records and correspondence of any member of the Legislature are not considered public records for purposes of public records preservation by the Public Records Board.

28. *Definition of Public Records.* Provide that "deliberative materials" would not be considered a public record for purposes of the state's public records law. Specify that deliberative materials would mean communications and other materials, including opinions, analyses, briefings, background information, recommendations, suggestions, drafts, correspondence about drafts, and notes, created or prepared in the process of reaching a decision concerning a policy or course of action or in the process of drafting a document or formulating an official communication. Deliberative materials would include inter-authority and intra-authority communications but would not include: (a) communications with persons who are not authorized to participate in the process

of reaching a decision, drafting a document, or formulating an official communication; and (b) communications with persons other than an authority (as defined under the state's public records law), unless the communication is within the scope of a contract between the person and an authority. This provision is effective and initially applicable July 1, 2015.

29. *Legislator Disclosure Privileges.* Provide that a legislator has a legal privilege or right to refuse to disclose, and to prevent a current or former legislative staff member from disclosing, all of the following communications and related records if made within the course of legislative business during the legislator's term of office: (a) a communication between the legislator or a member of the legislator's personal staff, or another person acting on behalf of the legislator, and a member of the clerk or sergeant staff; (b) a communication between the legislator or a member of the legislator's personal staff, or another person acting on behalf of the legislator, and a member of the nonpartisan staff; (c) a communication between the legislator, or a person acting on behalf of the legislator, and a member of the legislator's personal staff; (d) a communication between two or more members of the nonpartisan staff or clerk and sergeant staff related to the legislative business of a legislator; (e) a communication between two or more members of the legislator's personal staff; and (f) a communication between the legislator or a member of the legislator's personal staff, or another person acting on behalf of the legislator, and any other person. In addition, specify that a legislator has a legal privilege or right to refuse to disclose, and to prevent a current or former legislative staff member from disclosing, information from which can be ascertained the identity of any person who communicates with the legislator within the course of legislative business during the legislator's term of office. For purposes of these legislator privileges, legislative business means all aspects of the legislative process, broadly construed, and includes: (a) researching, drafting, circulating, discussing, introducing, and amending legislative proposals; (b) the development of public policy, including research, analysis, consideration, and discussion of issues relevant to public policy; (c) all aspects of legislative proceedings; (d) all matters related to the policies, practices, and procedures of the legislative branch; (e) all matters related to the work of a legislative committee; (f) investigations and oversight; (g) constituent relations; and (h) all other powers, duties, and functions assigned by law, rule, custom, policy, or practice to the Legislature, one house of the Legislature, a committee of the Legislature, or a member of the Legislature. Provide that legislative business does not include criminal conduct or political campaigning. For purposes of these legislator privileges, provide that personal staff means the employees assigned to or interning in the office of a legislator. A legislator's term of office is considered to begin on the date of certification of the legislator's election to the Legislature.

Require legislative service agencies to at all times observe the confidential nature of all communications, records, and information that may be subject to these legislator privileges. Further, provide that these legislator privileges or rights may be waived only by the express personal waiver of each legislator who may claim the privilege. Disclosure of a communication, record, or information that is legally privileged by any person to any other person, regardless of whether that disclosure is authorized by the legislator and including an authorized disclosure by nonpartisan staff, shall not constitute a legal waiver of the privilege. A legislative staff member or former legislative staff member must assert and may not waive a legal privilege on behalf of a legislator who may claim the legal privilege. Legislative staff members includes: (a) members of the legislator's personal staff; (b) members of the nonpartisan staff; or (c) clerk or sergeant staff.

These provisions related to legislator privilege may not be construed to limit or restrict in any way a privilege or other protection available to a legislator under any other law.

This provision is effective and initially applicable July 1, 2015.

30. *Legislative Reference Bureau Records and Communications.* Provide that the Legislative Reference Bureau (LRB) must at all times observe the confidential nature of research requests received by it. Further, provide that all drafting files and other records relating to reference, drafting, and research requests received by the LRB must remain confidential at all times. Delete the requirements that, in carrying out its reference responsibilities, the LRB: (a) maintain the drafting records of legislation introduced in prior sessions of the legislature and utilize such records to provide information on questions of legislative intent; and (b) retain these drafting records in its offices at all times. Delete the requirements that the drafting section of the LRB: (a) maintain the files for all drafting requests received during a legislative session while the Legislature remains in session; and (b) after final adjournment of a legislative session turn over to the reference section of the LRB the files for all drafting requests received during a legislative session which resulted in introduced legislation. Eliminate the requirement for the LRB to administer payments associated with costs incurred for microfilming, optical imaging, or electronic formatting of legislative drafting records. This provision is effective and initially applicable July 1, 2015.

31. *Application of State's Public Records Law to Legislative Records.* Specify that no provision of the state's public records law that conflicts with a rule or policy of the Senate or Assembly or joint rule or policy of the Legislature applies to a record that is subject to such legislative rule or policy. This provision is effective July 1, 2015.

32. *Nonpartisan Legislative Service Agencies' Communications.* Provide that the confidentiality requirements imposed on nonpartisan legislative service agencies may not be construed to prohibit any staff member of a nonpartisan legislative service agency from communicating with any staff member of another nonpartisan legislative service agency for the purpose of serving the Legislature and its members or from disclosing any communication, record, or information in accord with a rule, custom, policy, or practice of the Legislature. This provision is effective July 1, 2015.

33. *Lead-Bearing Paint – Definitions and Penalties.* Change the definition of "lead-bearing paint" (from the current statutory definition of any paint or other surface coating material containing more than 0.06% lead by weight in liquid paint or more than 0.7 milligrams of lead per square centimeter in the dried film of applied paint) to any paint or other surface coating containing more than 0.06% by weight in liquid paint, more than 0.5% lead by weight in dried paint, or 1.0 milligram of lead per square centimeter in dried paint. Delete a current law provision that allows administrative rules to supersede the statutory definition of "lead-bearing paint" if the Centers for Disease Control and Prevention specifies a standard that differs from state statute.

Increase the forfeiture for a violation of statutes relating to ss. 254.11 to 254.178 of the statutes, or rules promulgated, or orders issued, under those sections from not less than \$100 nor more than \$1,000, to not less than \$100 nor more than \$5,000 per violation. Specify that the