

2007 Jr7 DRAFTING REQUEST

Assembly Amendment (AA-SB1)

Received: **01/30/2007**

Received By: **jkuesel**

Wanted: **As time permits**

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**

By/Representing: **him**

This file may be shown to any legislator: **NO**

Drafter: **jkuesel**

May Contact:

Adl. Drafters:

Subject: **Elections - campaign finance
Elections - miscellaneous
Ethics
Lobbying**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Schneider@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

AA to Jan 07 Sp S SB-1

Instructions:

Per LRBa0043/1.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 01/30/2007	jdyer 01/30/2007		_____			
/1			pgreensl 01/30/2007	_____	mbarman 01/30/2007	mbarman 01/30/2007	

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1/1	jkuesel 1/30/07	1/30 jld	BQ PK	1/30 PK			

FE Sent For:

<END>

Kreye, Joseph

From: Wadd, Jay
Sent: Tuesday, January 30, 2007 1:52 PM
To: Kreye, Joseph
Subject: RE: Drafting Request

Joe,

I think we should have it look forward rather than making it retroactive....

From: Kreye, Joseph
Sent: Friday, January 26, 2007 9:47 AM
To: Wadd, Jay
Subject: RE: Drafting Request

Jay,

I'm familiar with it. Based on discussions I have had with DOR, one way to fix the problem is to incorporate DOR's administrative rule definition of "waste treatment facility" into the statutes. The question then is whether you want it to apply retroactively to apply to the Newark case. The Newark decision involved the assessments as of January 1, 1999. Therefore, I could make the change retroactive to that date. Is that what you want to do?

Joe

Joseph T. Kreye
Senior Legislative Attorney
Legislative Reference Bureau
(608) 266-2263

From: Wadd, Jay
Sent: Thursday, January 25, 2007 5:55 PM
To: Kreye, Joseph
Subject: Drafting Request

Joe,

Are you familiar with the Newark decision? If so, we'd like to draft legislation to reverse the decision, although I'm not entirely sure how we do that.

If you're unfamiliar with the decision email me and I will send over a hard copy of the law and related news stories.

Thanks,

Jay

Jay Wadd
Chief of Staff
Senator Dave Hansen
Assistant Majority Leader
608-266-5670

D-note

2007 - 2008 LEGISLATURE

40054/1
LRBa0043/1
JTK/cjs:jf

January 2007 Special Session

Tue 1/30 2:30pm

keep

ASSEMBLY AMENDMENT,

TO ASSEMBLY SUBSTITUTE AMENDMENT (LRBs0007/1),

SENATE
TO ASSEMBLY BILL 1

bill, as shown by senate
3 ✓

1

At the locations indicated, amend the substitute amendment as follows:

2

1. Page 2, line 24: delete "enforcement of".

3

2. Page 39, line 10: after that line insert:

4

"SECTION 56e. 11.36 (7) of the statutes is created to read:

5

11.36 (7) This section does not apply to assistance provided by legislative staff employed under s. 13.20 (1) in the coordination of political campaign events with legislative schedules.

8

SECTION 56m. 11.36 (8) of the statutes is created to read:

9

11.36 (8) This section does not apply to routine responses by legislative staff employed under s. 13.20 (1) to written, telephone, or electronic mail inquiries concerning partisan political information or activities.

12

SECTION 56s. 11.36 (9) of the statutes is created to read:

1 11.36 (9) The legislature reaffirms that use by any state employee or any
2 employee of the University of Wisconsin Hospitals and Clinics Authority, including
3 legislative staff employed under s. 13.20 (1), of an unpaid leave of absence or annual
4 leave for any lawful purpose, including political campaign purposes, does not
5 contravene this section.”.

6 **3.** Page 50, line 9: after that line insert:

7 “**SECTION 92e.** 19.45 (10e) of the statutes is created to read:

8 19.45 (10e) This section does not preclude legislative staff employed under s.
9 13.20 (1) from assisting in the coordination of political campaign events with
10 legislative schedules nor does it preclude any state public official from receiving such
11 assistance.

12 **SECTION 92m.** 19.45 (10m) of the statutes is created to read:

13 19.45 (10m) This section does not preclude routine responses by legislative
14 staff employed under s. 13.20 (1) to written, telephone, or electronic mail requests
15 concerning partisan political information or activities nor does it preclude any state
16 public official from receiving assistance from that staff in responding to such
17 requests.

18 **SECTION 92s.** 19.45 (10s) of the statutes is created to read:

19 19.45 (10s) The legislature reaffirms that use by any state public official,
20 including a legislative staff member employed under s. 13.20 (1), of an unpaid leave
21 of absence or annual leave for any lawful purpose, including political campaign
22 purposes, or receipt of services by a state public official from another state public
23 official for any such purpose, does not contravene this section.”.

24 (END)

d-note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

January 30, 2007

a0054
LRBa0043/1dn
JTK/cjs/jf
1
keep

Representative Schneider: ✓

Art. IV, sec. 11, of the constitution precludes any action from being taken in special session that extends beyond the business set forth in the governor's call. The current call relates to creation of a government accountability board, enforcement of elections, ethics, and lobbying regulation laws, and the venue for prosecution of certain offenses. Because this amendment makes substantive changes to the campaign finance and ethics laws, it may be considered to extend beyond the scope of the governor's call. If so, the courts may decline to apply the amendment.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0054/1dn
JTK:cjs:pg

January 30, 2007

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