

2011 DRAFTING REQUEST

Assembly Amendment (AA-AB428)

Received: **01/17/2012**

Received By: **mshovers**

Wanted: **As time permits**

Companion to LRB:

For: **Dale Kooyenga (608) 266-9180**

By/Representing: **Bill**

May Contact:

Drafter: **mshovers**

Subject: **Local Gov't - 1st class cities
Veterans - miscellaneous**

Addl. Drafters:

Extra Copies: **RAC, EVM, MGG**

Submit via email: **YES**

Requester's email: **Rep.Kooyenga@legis.wi.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Remove limits on veterans preferences; city of Milwaukee civil service

Instructions:

See attached

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>
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FE Sent For:

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Kaynga
Bill Neville

13. Provide veteran applicants for civil service positions with the same test score to be treated equally

Under current state law, municipalities may add veterans to certification lists if their scores, including veterans' preference points, are at least equal to the lowest score on the list of non-veteran eligibles. However, the number of veterans added to the list is limited to the number of individuals that were initially certified. The City proposes eliminating the limit on the number of veterans that can be added to the list in order to ensure all veterans meeting the minimum score are able to be considered for employment.

The unemployment rate among Iraq and Afghanistan War veterans in Wisconsin is currently at 13 percent, and will likely rise in the near future as additional soldiers return from deployments over the next three to six months. Deleting this statutory provision may remove barriers for veterans seeking municipal employment by allowing more veterans to be referred for consideration in the City of Milwaukee and in other municipalities.

14. Provide parking enforcers the same authority as traffic officers.

Section 349.13 Wis. Stats. allows state and local traffic officers to order the towing of an illegally parked vehicle. This section does not mention parking enforcers and gives local government relatively broad authority to designate traffic officers. Section 341.65, Wis. Stats. allows parking enforcers to provide for immobilization of unregistered vehicles. The City of Milwaukee requires parking enforcers to contact police officers before towing vehicles.

The city proposes allowing parking enforcers to order the towing of illegally parked vehicles. Given the lack of a clear definition of "parking enforcer" in section 349.13, statutes may allow parking enforcers to order the towing of illegally parked vehicles if the local government designates enforcers as traffic officers. The City argues that allowing parking enforcers to order the towing of vehicles would save time for traffic officers. It also may allow less qualified individuals to order the towing of motor vehicles.

15. Shorten the length of time allowed for parking citation adjudication.

The City claims that individuals who receive parking citations have seven years to contest the parking citation in court in the City of Milwaukee. It claims that a statutory change is necessary to allow default judgments to be taken against individuals who fail to arrange to contest their parking citations within 180 days of issuance as well as for individuals who fail to appear after having timely scheduled appointments to contest their parking citations.



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa2114/7

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~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
ASSEMBLY AMENDMENT,
TO 2011 ASSEMBLY BILL 428

D - NOTE

today

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: after "system" insert "and expanding the number of veterans
3 that may be added to ^{list} first class city civil service certification lists".

4 **2.** Page 2, line 1: before that line insert:

5 "SECTION 1e. 63.39^x(2m) of the statutes is amended to read:

6 63.39 (2m) Notwithstanding s. 230.16 (7), the board shall certify persons from
7 the list of eligibles without adding preference points to their grades. After the
8 certification under sub. (1) or (2), the board shall add to the certification list any
9 veteran or veteran's spouse whose grade, plus the points to which the veteran or
10 spouse is entitled under s. 230.16 (7), is equal to or higher than the lowest grade on
11 the list of eligibles. ~~The number of persons added to a certification list under this~~

1 ~~subsection may not exceed the number of persons initially certified under sub. (1) or~~
2 ~~(2).~~

History: 1975 c. 330, 421; 1979 c. 89, 159, 355; 1991 a. 101; 2009 a. 18.

3 **3.** Page 2, line 1: delete **“SECTION 1”** and substitute **“SECTION 1m”**.

4 (END)

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

Date

LRBa2114/dn

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Representative Kooyenga:

This drafter's note is meant to alert you to the possibility that this amendment may be challenged as being nongermane to AB-428. Assembly Rule 54 (3) (f) states that an amendment to a bill is nongermane if it "substantially expands the scope of the proposal." It could be argued that this amendment expands the scope of the bill to the extent that it violates the rule.

The bill relates to the noncompetitive appointment of certain disabled veterans to classified state civil service positions, while the amendment expands the number of veterans that may be added to first class city civil service certification lists. Please let me know if you have any questions about this issue.

Marc E. Shovers
Managing Attorney
Phone: (608) 266-0129
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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa2114/1dn
MES:med:ph

January 17, 2012

Representative Kooyenga:

This drafter's note is meant to alert you to the possibility that this amendment may be challenged as being nongermane to AB 428. Assembly Rule 54 (3) (f) states that an amendment to a bill is nongermane if it "substantially expands the scope of the proposal." It could be argued that this amendment expands the scope of the bill to the extent that it violates the rule.

The bill relates to the noncompetitive appointment of certain disabled veterans to classified state civil service positions, while the amendment expands the number of veterans that may be added to first class city civil service certification lists. Please let me know if you have any questions about this issue.

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