

2013 DRAFTING REQUEST

Assembly Amendment (AA-AB40)

Received: 5/21/2013 Received By: mshovers
Wanted: As time permits Same as LRB:
For: Legislative Fiscal Bureau 6-3013 By/Representing: Runde (FA)
May Contact: Drafter: mshovers
Subject: Local Gov't - counties Addl. Drafters:
Local Gov't - munis generally Extra Copies: EVM

Submit via email: YES
Requester's email: Legislative Fiscal Bureau
Carbon copy (CC) to:

Pre Topic:

LFB:.....Runde (FA) -

Topic:

Motion # 161; residency requirements for local government employees

Instructions:

See attached. Paper # 554. Exceptions for emergency personnel

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>
/1	mshovers 5/31/2013	jdyer 5/24/2013	phenry 5/24/2013	_____	mbarman 5/24/2013		
/2	chanaman 6/11/2013	jdyer 6/11/2013	rschluet 6/11/2013	_____	sbasford 5/31/2013		
/3				_____	lparisi 6/11/2013		

FE Sent For:

<END>

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3 9/11 JLD
6/11/13
PH
END

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/1	mshovers 5/23/2013	jdyer 5/24/2013	phenry 5/24/2013	_____	mbarman 5/24/2013		

1/2 MES 5/31/13
FE Sent For: 25/31 jld
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/1	mshovers	1 5/23 jld	5/24				
1	WES	5/23/13	ph	X			

FE Sent For:

<END>

Shovers, Marc

From: Runde, Al
Sent: Friday, May 10, 2013 9:19 AM
To: Shovers, Marc
Subject: FW: Motion 161
Attachments: 161.docx

Excuse me, add a (5) and (6).

From: Runde, Al
Sent: Friday, May 10, 2013 9:19 AM
To: Shovers, Marc; Hanaman, Cathlene
Subject: FW: Motion 161

Here are the changes to the Residency Requirement provision in AB 40.

Marc, in section 1270, maybe just add a (4) and (5), and then exclude them from (3).

Thanks,

From: Swain, Sandy
Sent: Friday, May 10, 2013 8:47 AM
To: Runde, Al; Zimmerman, Art
Subject: Motion 161

RESIDENCY REQUIREMENTS

Distanced-Based Residency Requirements [LFB Paper #554]

Motion:

Move to modify the Governor's recommendation to allow a local unit of government to do the following:

- a. to establish a requirement that police, fire, or emergency personnel of the local government must reside within 15 miles of the jurisdictional boundaries of the local government; and
- b. if the local unit of government is a county, to establish a requirement that police, fire, or emergency personnel employed by the county must reside within 15 miles of the jurisdictional boundaries of the municipality to which they are assigned.



jld RME

LFB:.....Runde (FA) – Motion # 161; residency requirements for local government employees

**FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO ASSEMBLY BILL 40**

D-Note

- 1 At the locations indicated, amend the bill as follows: ✓
- 2 **1.** Page 630, line 21: delete lines 21 and 22 ✓ and substitute:
- 3 “(2) ✓ In this section:
- 4 (a) ✓ “Emergency personnel” means a law enforcement officer, an emergency ✓
- 5 medical technician, or a fire fighter. ✓
- 6 (b) “Local governmental unit” means any city, village, town, county, or school
- 7 district.”. ✓
- 8 **2.** Page 631, line: *4* delete lines 4 to 6 and substitute:
- 9 “(4) (a) This section does not affect any statute that requires residency within
- 10 the jurisdictional limits of any local governmental unit or any provision of law that
- 11 requires residency in this state. ✓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0141/1dn

MESw...
jld

date

Al Runde: ✓

Per your voicemail, the amendment changes "police" to "law enforcement officer." I'm not sure what the motion means by "emergency personnel"; does the definition in the amendment, which refers to "an emergency medical technician," meet your intent? *

Marc E. Shovers
Managing Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.wisconsin.gov

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

LRBb0141/1dn
MES:jld:ph

May 24, 2013

Al Runde:

Per your voicemail, the amendment changes "police" to "law enforcement officer." I'm not sure what the motion means by "emergency personnel"; does the definition in the amendment, which refers to "an emergency medical technician," meet your intent?

Marc E. Shovers
Managing Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.wisconsin.gov

Shovers, Marc

From: Runde, Al
Sent: Wednesday, May 29, 2013 3:14 PM
To: Shovers, Marc
Subject: Lrb 0141/1

Delete Section 1 of the draft (lines 1 thru 7) on page 1.

In section 2 on page 2 line 2 after on insert "law enforcement, fire, or"

Page 2 line 2 after requires delete "the emergency" and insert those.

Page 2 line 2 after to delete "live" and insert "reside"

Repeat the three changes to Page 2 line 2 (above) for the same language that appears on Page 2 line 6. 5

Page 2 line 7 at the beginning of that line delete "the emergency" and insert "those".

Hope this helps,

Al

Al Runde
Legislative Fiscal Analyst
Wisconsin Legislative Fiscal Bureau
(608) 266-3847

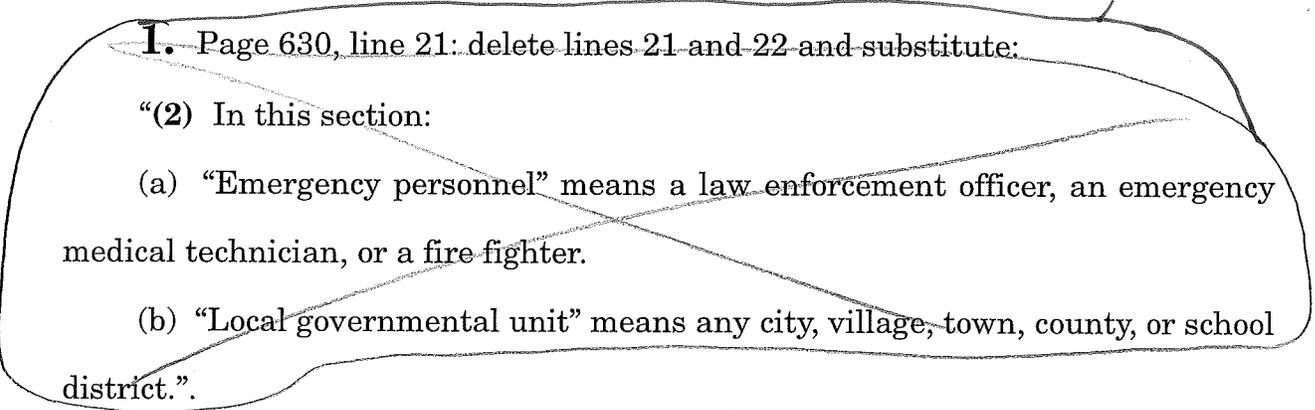


Handwritten initials: R MR

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**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION
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- 5 medical technician, or a fire fighter.
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- 8 **2.** Page 631, line 4: delete lines 4 to 6 and substitute:
- 9 “(4) (a) This section does not affect any statute that requires residency within
- 10 the jurisdictional limits of any local governmental unit or any provision of law that
- 11 requires residency in this state.



1

(b) Subject to par. (c), a local governmental unit may impose a residency

2

requirement on emergency personnel that requires the emergency personnel to ~~live~~ ^{of such} ~~live~~ ^{reside}

3

within 15 miles of the jurisdictional boundaries of the local governmental unit.

4

(c) If the local governmental unit is a county, the county may impose a residency

5

requirement on emergency personnel that requires the emergency ^{of such} personnel to ~~live~~ ^{live}

6

within 15 miles of the jurisdictional boundaries of the city, village, or town to which

7

the ~~emergency~~ ² personnel are assigned." ✓

8

(END)

★ At the request of Al Runde - CFB
- 625 -

ASSEMBLY BILL 40

SECTION 1250

Note to file: This change makes s. 60.37(1) consistent with the change to p. 66.0502 made by 60141/2

59.72 (5) (c) Before January 1, 2015, a county may retain \$5 of the portion of

each fee submitted to the department of administration under par. (a) from the fee for recording or filing each instrument that is recorded or filed under s. 59.43 (2) (ag) 1. or (e) if all of the following apply:

1. The money is used to make social security numbers from electronic format records not viewable or accessible on the Internet under sub. (6) and s. 59.43 (4) (c).

2. The register of deeds is authorized to collect fees under s. 59.43 (2) (L) under an extension granted by the department of administration under s. 59.43 (2) (L) 2.

SECTION 1251. 60.37 (1) of the statutes is amended to read:

60.37 (1) GENERAL. The town board may employ on a temporary or permanent basis persons necessary to carry out the functions of town government including, subject to sub. (4), any elected officer of the town. The board may establish the qualifications and terms of employment, which may not include the residency of the employee. except as provided in s. 66.0502(4)(b) The board may delegate the authority to hire town employees to any town official or employee.

SECTION 1252. 60.627 (2) (a) of the statutes is amended to read:

60.627 (2) (a) To effect the purposes of s. 281.33 and to promote the public health, safety and general welfare, if a town board may enact zoning ordinances under s. 60.62, the town board may enact a zoning ordinance, that is applicable to all of its area, for construction site erosion control at sites where ~~the construction activities do not include the construction of a building~~ described in s. 281.33 (3) (a) 1. a. and b. and for storm water management. This ordinance may be enacted separately from ordinances enacted under s. 60.62.

SECTION 1253. 60.627 (4) (c) of the statutes is amended to read:



LFB:.....Runde (FA) – Motion # 161; residency requirements for local government employees

**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION
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TO ASSEMBLY BILL 40**

Page 625, line 14: after "employee"

insert "score" } except as provided in
s. 66.0502 (4)(b) ✓

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

2 1. Page 631, line 4: delete lines 4 to 6 and substitute:

3 "(4) (a) This section does not affect any statute that requires residency within
4 the jurisdictional limits of any local governmental unit or any provision of law that
5 requires residency in this state.

6 (b) Subject to par. (c), a local governmental unit may impose a residency
7 requirement on law enforcement, fire, or emergency personnel that requires such
8 personnel to reside within 15 miles of the jurisdictional boundaries of the local
9 governmental unit.

10 (c) If the local governmental unit is a county, the county may impose a residency
11 requirement on law enforcement, fire, or emergency personnel that requires such

1 personnel to reside within 15 miles of the jurisdictional boundaries of the city, village,
2 or town to which the personnel are assigned.”.

3 (END)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBb0141/3
MES:jld:rs

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**FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION
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TO ASSEMBLY BILL 40**

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

2 **1.** Page 625, line 14: after “employee” insert “, except as provided in s. 66.0502
3 (4)(b)”.

4 **2.** Page 631, line 4: delete lines 4 to 6 and substitute:

5 “(4) (a) This section does not affect any statute that requires residency within
6 the jurisdictional limits of any local governmental unit or any provision of law that
7 requires residency in this state.

8 (b) Subject to par. (c), a local governmental unit may impose a residency
9 requirement on law enforcement, fire, or emergency personnel that requires such
10 personnel to reside within 15 miles of the jurisdictional boundaries of the local
11 governmental unit.

