

2013 DRAFTING REQUEST

Assembly Amendment (AA-SB497)

Received: 2/19/2014 Received By: rnelson
Wanted: Today Same as LRB:
For: Andy Jorgensen (608) 266-3790 By/Representing: Becky
May Contact: Drafter: rnelson
Subject: Administrative Law Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Rep.Jorgensen@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Substantial financial gain

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>
/1	rnelson 2/19/2014	jdyer 2/19/2014	rschluet 2/19/2014	_____	srose 2/19/2014	mbarman 2/20/2014	

FE Sent For:

<END>

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/1	rnelson	1 2/19 jld	jd	 2/19/14			

FE Sent For:

<END>

Nelson, Robert

From: Sweeney, Rebekah
Sent: Wednesday, February 19, 2014 12:47 PM
To: Nelson, Robert
Subject: List of Jorgensen Amendments to SB 497

February 19, 2014

Bob,

Thanks for your time on the telephone. Here's a list of desired Jorgensen amendments to SB 497, as best I can describe them.

- ✓ Amendment 1: Define "repeat offenders" as businesses which have repeated the same rule violation more than three times.
- ✓ Amendment 2: Define "substantial financial gain" to mean if the business violation netted more than what the potential fine may be.
- ✓ Amendment 3: Strike "imminent" from the phrase "imminent public danger" and substitute the word "serious."
- ✓ Amendment 4: Eliminate all references to agency discretion on considering "ability to pay" when determining a penalty.
- ✓ Amendment 5: Sunset this law one year after effective date.
- ✓ Amendment 6: Require state agencies to annually publish a public report on instances in which they utilized discretion in penalizing businesses.

Amendment 7: Bundle Amendments 1-6 into a substitute amendment.

Please don't hesitate to call me with any questions. I will be in a caucus for much of the afternoon, so if you are unable to reach me on the office line (608) 266-3790, please also feel free to call me on my personal cell at (608) 386-3012.

I sincerely appreciate your help.

Becky

Rebekah Sweeney
Office of Rep. Andy Jorgensen
(608) 266-3790



wanted ~~skan~~ TODAY
please



LRBa1912/1
RPN#.....

DN

jld

**ASSEMBLY AMENDMENT,
TO SENATE BILL 497**

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

2 1. Page 1, line 8: after that line insert:

3 "SECTION 227.04 (1) (ag) of the statutes is created to read:

4 227.04 (1) (ag) "Substantial economic advantage" means that, as the result of
5 the minor violation, the small business netted more than what the potential fine
6 would have been." ✓

7 (END)

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

LRBa1912/1dn

RPN #.....

date

JLd

The term used in the statutes is "substantial economic advantage" so I defined that term.

Robert Nelson
Senior Legislative Attorney
Phone: (608) 266-973
E-mail: robert.nelson@legis.wisconsin.gov

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

LRBa1912/1dn
RPN:jld:rs

February 19, 2014

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Robert Nelson
Senior Legislative Attorney
Phone: (608) 266-973
E-mail: robert.nelson@legis.wisconsin.gov