



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2007 Senate Bill 1

Assembly Amendment 1

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Senate Bill 1 expressly authorizes a public library board to transfer donations made to the board to a tax exempt charitable organization whose purpose is to provide support for the public library. SECTION 2 of the bill contains an initial applicability clause which limits the application of the proposal to donations made on or after the proposal's effective date. Apparently, transfers of donations to library boards have been made to such charitable organizations in the past under the assumption that there was authority to do so; the bill's initial applicability clause may raise issues concerning statutory authority for past transfers.

Assembly Amendment 1 deletes the bill's initial applicability clause and substitutes a "savings clause," providing that transfers to a charitable organization by a library board made previous to the proposal's effective date are not invalid because they lacked statutory authority (i.e., under the amendment, such transfers effectively had statutory authority, but that does not preclude raising other issues concerning the transfer's validity, such as inconsistency with the terms of the donation to the library board).

Legislative History

Assembly Amendment 1 was offered by the Assembly Committee on Urban and Local Affairs. It was recommended for adoption by the committee by a vote of Ayes, 9; Noes, 0. The committee recommended concurrence in the proposal, as amended, by the same vote.

DD:jb:ksm