



## 2007 ASSEMBLY BILL 627

December 19, 2007 - Introduced by Representatives NELSON, HINTZ, BOYLE, VAN AKKEREN, POCAN, HIXSON, A. WILLIAMS, SMITH, SOLETSKI and BLACK, cosponsored by Senator ROESSLER. Referred to Committee on Assembly Organization.

1     **AN ACT to amend** 13.121 (1), 13.123 (1) (c), 13.45 (3) (a) and 16.53 (1) (d) 1.; and  
2           **to create** 11.24 (4), 11.60 (3p), 13.124 and 13.38 of the statutes; **relating to:**  
3           convening and conduct of committees of conference on biennial budget bills;  
4           withholding of legislator pay and certain legislative expense reimbursements;  
5           and acceptance of certain political contributions by members of the legislature,  
6           candidates for legislative office, and certain committees; and providing a  
7           penalty.

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### *Analysis by the Legislative Reference Bureau*

#### ***Committees of conference on biennial budget bills***

Currently, under the joint rules of the legislature, in cases of disagreement between the two houses on amendments to a bill or joint resolution, one house may request a committee on conference to resolve the differences between the houses. If a committee of conference is created and is able to resolve the differences, the final agreement is contained in a conference report that is submitted to each house for approval.

This bill seeks to regulate the convening and conduct of committees of conference on biennial budget bills and to compel attendance of members at meetings of the committees. Under the bill, if a committee of conference on a biennial budget bill is created, the committee must convene on the first Monday after the committee is created or on the first Monday in July, whichever occurs first.

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The bill provides that the committee of conference must meet for at least eight hours per day on Monday to Friday during the first week that the committee is convened. If the committee of conference has not approved a conference report before the end of the first week, the committee must convene on the following Monday and meet for at least nine hours per day on Monday to Friday during that week. If the committee of conference has still not approved a conference report before the end of the second week, the committee must convene on the following Monday and meet for at least ten hours per day on at least six days during that week, and during each succeeding week, until the committee approves a conference report.

Under the bill, each member of the committee of conference must attend each committee meeting, unless the member is unable to attend on account of illness or a family emergency. The bill requires the sergeant of arms of each house to ensure that members appointed to the committee of conference attend each committee meeting. The bill grants the sergeants of arms the same powers to compel members to attend committee meetings as are granted the sergeants of arms to compel members to return to the senate or assembly chambers during a call of the house. Most importantly, the sergeants of arms may request assistance from the county sheriff to compel a member to attend a meeting of the committee on conference.

***Withholding of legislator pay and reimbursement of certain expenses***

This bill provides that, if the legislature has not passed the biennial budget bill before August 1 of the odd-numbered year, no member of the legislature may receive any installments of his or her salary or food and lodging expense reimbursements until the legislature has passed the biennial budget bill.

Under the bill, upon passage of the biennial budget bill the members of the legislature are to be paid all salary installments and expense reimbursements that were withheld during the period before passage of the biennial budget bill. If the legislature has not passed the biennial budget bill before the end of the legislative session, however, the members of the legislature are to be paid all salary installments and expense reimbursements on the last day of the session that were withheld during the session.

***Acceptance of certain political contributions by legislators, legislative candidates, and certain committees***

The bill prohibits any incumbent legislator, candidate for legislative office, or the personal campaign or authorized support committee of such a member or candidate from accepting any political contribution for the purpose of promoting his or her nomination, election, or reelection to the office held by the official during the period beginning on the date of introduction of the governor's executive budget bill or, the first of any executive budget bills submitted by the governor in each odd-numbered year and ending with the date of final concurrence by both houses of the legislature in that bill or if there is more than one such bill, in all of such bills, and, if any such bill is vetoed in full, during the period of reconsideration of that bill or of consideration of any subsequent biennial budget bill or bills in that year until the date of final concurrence by both houses of the legislature in that bill or, if there is more than one such bill, in all of such bills. The prohibition does not apply to contributions accepted by an incumbent legislator who is subject to a recall election

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or a candidate for legislative office in a recall election, or by the personal campaign or authorized support committee of a legislator or legislative candidate from the date on which the petition for a recall election is filed until the date of the recall election or in the case of an incumbent legislator, the date on which the legislator resigns if the legislator resigns at an earlier date .

Violators are subject to a forfeiture (civil penalty) of treble the amount or value of any unlawful contribution. Intentional violators are guilty of a misdemeanor and may be fined not more than \$1,000 or imprisoned for not more than six months or both.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

- 1           **SECTION 1.** 11.24 (4) of the statutes is created to read:
- 2           11.24 (4) (a) No incumbent member of the legislature, no candidate for the office  
3 of state senator or representative to the assembly, and no personal campaign  
4 committee or support committee authorized under s. 11.05 (3) (p) of such a member  
5 or candidate may accept any contribution for the purpose of promoting that  
6 member's or candidate's nomination, election, or reelection to the office of state  
7 senator or representative to the assembly during the period beginning on the date  
8 of introduction of the executive budget bill or of the first of any budget bills submitted  
9 under s. 16.47 (1) in each odd-numbered year and ending with the date of final  
10 concurrence by both houses of the legislature in that bill or, if there is more than one  
11 such bill, in all of such bills, and, if any such bill is vetoed in full, during the period  
12 of reconsideration of that bill or of consideration of any subsequent biennial budget  
13 bill or bills in that year until the date of final concurrence by both houses of the  
14 legislature in that bill or, if there is more than one such bill, in all of such bills.
- 15           (b) Notwithstanding par. (a), an incumbent member of the legislature against  
16 whom a recall petition has been filed or a candidate for the office of state senator or  
17 representative to the assembly in a recall election, or the personal campaign or

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1 authorized support committee of such a member or candidate, may accept a  
2 contribution during the period beginning on the date on which the petition is filed  
3 under s. 9.10 (3) (b) and ending on the date of the recall election or, in the case of a  
4 member of the legislature, the date on which the member resigns if the member  
5 resigns at an earlier date under s. 9.10 (3) (c).

6 **SECTION 2.** 11.60 (3p) of the statutes is created to read:

7 11.60 (3p) Notwithstanding sub. (1), any member of the legislature, candidate  
8 for the office of state senator or representative to the assembly, or the personal  
9 campaign or authorized support committee of such a member or candidate who  
10 accepts a contribution in violation of s. 11.24 (4) shall forfeit treble the amount of the  
11 contribution.

12 **SECTION 3.** 13.121 (1) of the statutes is amended to read:

13 13.121 (1) CURRENT MEMBER. From the appropriation under s. 20.765 (1) (a) or  
14 (b), but subject to s. 13.124, each member of the legislature shall be paid, in equal  
15 instalments installments, the salary provided under s. 20.923.

16 **SECTION 4.** 13.123 (1) (c) of the statutes is amended to read:

17 13.123 (1) (c) Each member shall certify to the chief clerk of the house in which  
18 the member serves, as promptly as may be following the 1st of each month, the  
19 number of days during the previous calendar month on which the member was in  
20 Madison on legislative business and for which the member seeks the allowance  
21 provided by this subsection. ~~Such~~ Subject to s. 13.124, such allowances shall be paid  
22 from the appropriation under s. 20.765 (1) (a) or (b) within one week after each  
23 calendar month; and shall be paid, upon the filing with the department of  
24 administration, the chief clerk's affidavit stating the number of days in Madison on  
25 legislative business for all members of the chief clerk's house.

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1           **SECTION 5.** 13.124 of the statutes is created to read:

2           **13.124 Withholding of legislator salaries and certain expense**  
3 **reimbursements.** If the legislature has not passed the biennial budget bill under  
4 s. 16.47 (1) before August 1 of the odd-numbered year, no member of the legislature  
5 may receive a salary installment, as required under s. 13.121 (1), or be reimbursed  
6 for any expenses to which the members is entitled under s. 13.123 (1) or 13.45 (3) (a)  
7 until such time as the legislature has passed the biennial budget bill. Upon passage  
8 of the biennial budget bill, the member of the legislature shall receive all salary  
9 installments and expense reimbursements that were withheld during the period  
10 before passage of the biennial budget bill. If the legislature has not passed the  
11 biennial budget bill before the end of the legislative session, the members of the  
12 legislature shall receive all salary installments and expense reimbursements on the  
13 last day of the session that were withheld during the session.

14           **SECTION 6.** 13.38 of the statutes is created to read:

15           **13.38 Committee of conference on biennial budget bills.** (1) If a  
16 committee of conference on a biennial budget bill is created, the committee shall  
17 convene on the first Monday after the committee is created or on the first Monday  
18 in July, whichever occurs first.

19           (2) The committee of conference shall meet for at least 8 hours per day on  
20 Monday to Friday during the first week that the committee is convened. If the  
21 committee has not approved a conference report before the end of the first week, the  
22 committee shall convene on the following Monday and meet for at least 9 hours per  
23 day on Monday to Friday during that week. If the committee has still not approved  
24 a conference report before the end of the 2nd week, the committee shall convene on  
25 the following Monday and meet for at least 10 hours per day on at least 6 days during

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1 that week, and during each succeeding week, until the committee approves a  
2 conference report.

3 (3) Each member of the committee of conference must attend each meeting of  
4 the committee, unless the member is unable to attend the meeting on account of  
5 illness or a family emergency.

6 (4) The sergeant of arms of the senate shall ensure that senators appointed to  
7 the committee of conference attend each meeting of the committee. The sergeant of  
8 arms of the assembly shall ensure that representatives to the assembly appointed  
9 to the committee of conference attend each meeting of the committee. The sergeant  
10 of arms of each house shall have all powers granted the sergeant of arms under s.  
11 13.33 to compel members to attend each meeting of the committee of conference.

12 **SECTION 7.** 13.45 (3) (a) of the statutes is amended to read:

13 13.45 (3) (a) For any day for which the legislator does not file a claim under s.  
14 13.123 (1), and subject to s. 13.124, any legislator appointed to serve on a legislative  
15 committee or a committee to which the legislator was appointed by either house or  
16 the officers thereof shall be reimbursed from the appropriations under s. 20.765 (1)  
17 (a) or (b) for actual and necessary expenses incurred as a member of the committee.

18 **SECTION 8.** 16.53 (1) (d) 1. of the statutes is amended to read:

19 16.53 (1) (d) 1. The secretary, with the approval of the joint committee on  
20 employment relations, shall fix the time and frequency for payment of salaries due  
21 elective and appointive officers and employees of the state. As determined under this  
22 subdivision, except as provided in s. 13.124, the salaries shall be paid either monthly,  
23 semimonthly or for each 2-week period.

24 (END)