

1999 DRAFTING REQUEST

Bill

Received: 10/14/98

Received By: dykmapj

Wanted: As time permits

Identical to LRB:

For: Robert Cowles (608) 266-0484

By/Representing: Sean Dilweg

This file may be shown to any legislator: NO

Drafter: dykmapj

May Contact:

Alt. Drafters:

Subject: Legislature - miscellaneous

Extra Copies: JTK

Topic:

Bills referred to JCF and fiscal estimates on penalty bills

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           | dykmapj<br>10/20/98 | gilfokm<br>10/20/98 | lpaasch<br>10/21/98 | _____          | lrb_docadmin<br>10/21/98 |                          |                 |
| /2           | dykmapj<br>10/26/98 | gilfokm<br>10/30/98 | jfrantze<br>11/2/98 | _____          | lrb_docadmin<br>11/2/98  |                          |                 |
| /3           | dykmapj<br>11/3/98  | gilfokm<br>11/4/98  | lpaasch<br>11/4/98  | _____          | lrb_docadmin<br>11/4/98  | lrb_docadmin<br>11/20/98 |                 |

FE Sent For:

*Not Needed*

<END>

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FE Sent For:

*13-114  
kmg*

<END>

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**Instructions:**

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| /1           | dykmapj<br>10/20/98 | gilfokm<br>10/20/98 | lpaasch<br>10/21/98 | _____          | lrb_docadmin<br>10/21/98 |                 |                 |

FE Sent For:

12-10-30  
KMG

JB 11/2 JB/kl  
"1" 2  
END

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|--------------|----------------|-----------------|---------------|-------------------------|------------------|-----------------|-----------------|
| 1?           | dykmapj        | 1-10-20<br>Kmg  | 10-20<br>L.P. | 10-20 L.P.<br><u>FS</u> |                  |                 |                 |

FE Sent For:

<END>



## ROBERT L. COWLES

Wisconsin State Senator • 2nd Senate District

TO: Peter Dykman, LRB Drafting

FROM: Sean Dilweg, Senator Cowles Office

DATE: October 14, 1998

RE: Changes to 13.093

Peter, per our conversation I have included 2 changes to Section 13.093. I have italicized those changes.

Section 13.093(1) All bills introduced "*or that have an adopted amendment in or by a standing committee*" in either house of the legislature.....

- Our goal here is to pull the whole bill into JFC that has been amended in either house of the legislature where the amendment creates an appropriation of money, providing for revenue or relating to taxation.

Section 13.093(2)(c) *delete this section.*

- The goal here is to pull in bills to JFC with penalty provisions. This is mainly fallout from the "Truth in Sentencing" bill.

*also repeal JFC rule 41 (2)(b)*



State of Wisconsin  
1999 - 2000 LEGISLATURE

redrafted to 11  
LRB-0587/P1  
PJD...  
K  
K  
K

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

soon  
D-NOTE

1 AN ACT<sup>year</sup> <sup>est.</sup>; relating to: referral of bills to the joint committee on finance and  
2 preparation of fiscal estimates on penalty bills.

**Analysis by the Legislative Reference Bureau**

This bill requires that all bills to which either house of the legislature has adopted an amendment for the appropriation of money, providing for revenue or relating to taxation be referred to the joint committee on finance before being passed. It also requires that all bills to which a committee of either house or a joint committee has recommended adoption of an amendment for the appropriation of money, providing for revenue or relating to taxation, and for which the committee has recommended passage of or concurrence in, be referred to the joint committee on finance before being passed.

Present law provides that all bills containing a penalty provision but no other provision requiring a fiscal estimate are exempt from the fiscal estimate requirement. This bill removes that exemption.

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

Fix component  
3

SECTION 1. 13.093 (1) of the statutes is amended to read:

renumbered  
13.093 (1)  
intro. and





2A <sup>draft</sup>

The phrase <sup>used in this draft and</sup> "in existing law" relating to taxation is very broad. It covers nonsubstantive changes such as provisions in Revisor's Correction Bills. Do you wish to narrow its coverage to "imposing, repealing or modifying <sup>d</sup> the a tax"?

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

LRB-0587/1dn

PJD:kmg:lp

October 20, 1998

You will need to repeal Joint Rule 41 (2) (b), if s. 13.093 (2) (c), stats. is repealed. It reads the same as s. 13.093 (2) (c), stats.

The phrase used in this draft and in existing law "relating to taxation" is very broad. It covers nonsubstantive changes such as provisions in Revisor's Correction Bills. Do you wish to narrow its coverage to "imposing, repealing or modifying a tax"?

If a bill has been referred to and reported out of the Joint Committee on Finance because it is for the appropriation of money, providing for revenue or relating to taxation, this bill does not require rereferral to the joint committee if either house adopts an amendment appropriating additional moneys or creating a new appropriation. OK?

Atty. Peter J. Dykman  
Deputy Chief  
266-7098

**ROBERT L. COWLES**

Wisconsin State Senate • 2nd Senate District

Peter,

10-26-98

Talked w/ Bob Lang

- He does not want to narrow coverage on your 1<sup>st</sup> point.
- He agrees w/ your 2<sup>nd</sup> point.
- We have one minor change on page 2 which would just change the sequence of (b) & (c). See draft.

Thanks

- Sam

OFFICE:

HOME:



P.O. Box 7882

200 W. St. Joseph Street, 400

**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

**Date:** 10/21/98

**To:** Senator Cowles

**Relating to LRB drafting number:** LRB-0587

**Topic**

Bills referred to JCF and fiscal estimates on penalty bills

**Subject(s)**

Legislature - miscellaneous

1. **JACKET** the draft for introduction \_\_\_\_\_

in the **Senate** \_\_\_\_ or the **Assembly** \_\_\_\_ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT**. See the changes indicated or attached \_\_\_\_\_



A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Attorney Peter J. Dykman, Deputy Chief  
Telephone: (608) 266-7098

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

LRB-0587/1dn  
PJD:kmg:lp

October 20, 1998

You will need to repeal Joint Rule 41 (2) (b), if s. 13.093 (2) (c), stats. is repealed. It reads the same as s. 13.093 (2) (c), stats.

The phrase used in this draft and in existing law "relating to taxation" is very broad. It covers nonsubstantive changes such as provisions in Revisor's Correction Bills. Do you wish to narrow its coverage to "imposing, repealing or modifying a tax"? *No*

If a bill has been referred to and reported out of the Joint Committee on Finance because it is for the appropriation of money, providing for revenue or relating to taxation, this bill does not require rereferral to the joint committee if either house adopts an amendment appropriating additional moneys or creating a new appropriation. OK? *yes*

Atty. Peter J. Dykman  
Deputy Chief  
266-7098



## 1999 BILL

*ID-NOTE*

*Sen Act.*  
1 **AN ACT** *to repeal* 13.093 (2) (c); *to renumber and amend* 13.093 (1); and *to*  
2 **create** 13.093 (1) (a) to (c) of the statutes; **relating to:** referral of bills to the  
3 joint committee on finance and preparation of fiscal estimates on penalty bills.

---

### ***Analysis by the Legislative Reference Bureau***

This bill requires that all bills to which either house of the legislature has adopted an amendment for the appropriation of money, providing for revenue or relating to taxation be referred to the joint committee on finance before being passed. It also requires that all bills to which a committee of either house or a joint committee has recommended adoption of an amendment for the appropriation of money, providing for revenue or relating to taxation, and for which the committee has recommended passage of or concurrence in, be referred to the joint committee on finance before being passed.

Present law provides that all bills containing a penalty provision but no other provision requiring a fiscal estimate are exempt from the fiscal estimate requirement. This bill removes that exemption.

---

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

4 **SECTION 1.** 13.093 (1) of the statutes is renumbered 13.093 (1) (intro.) and  
5 amended to read:

**BILL**

1 13.093 (1) (intro.) All of the following bills introduced in either house of the  
2 legislature for the appropriation of money, providing for revenue or relating to  
3 taxation shall be referred to the joint committee on finance before being passed.:

4 **SECTION 2.** 13.093 (1) (a) to (c) of the statutes are created to read:

5 13.093 (1) (a) Bills for the appropriation of money, providing for revenue or  
6 relating to taxation.

7 ~~(c)~~ Bills, other than bills specified under par. (a), to which either house of the  
8 legislature has adopted an amendment for the appropriation of money, providing for  
9 revenue or relating to taxation.

reverse  
paragraphs

10 ~~(b)~~ Bills, other than bills specified under par. (a) or ~~(c)~~, to which a committee  
11 of either house or a joint committee has recommended adoption of an amendment for  
12 the appropriation of money, providing for revenue or relating to taxation, and for  
13 which the committee has recommended passage ~~of~~ or concurrence ~~in~~.

or (b)  
or (c)

14 **SECTION 3.** 13.093 (2) (c) of the statutes is repealed.

15

(END)

NOTE: I revised (b) and (c) as you requested. I also changed the cross-references on page 2, from "par (a) or (b)" and on page 2, to "par. (a) or (c)". The result of the cross-references is that either but not both par. (b) or (c) can trigger sending the bill to finance, but if both par. (b) and (c) apply, the bill goes only once to finance. OK? PJD

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

LRB-0587/2dn  
PJD:kmgjf

November 2, 1998

I revised pars. (b) and (c) as you requested. I also changed the cross-references on page 2, line 7, to "par. (a) or (b)" and on page 2, line 10, to "par. (a) or (c)". The result of the cross-references is that either pars. (b) or (c) can trigger sending the bill to finance, but if both pars. (b) and (c) apply the bill goes only once to finance. OK?

Atty. Peter J. Dykman  
Deputy Chief  
266-7098



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

LRB-0587/2ln  
PJD:kingjf

November 2, 1998

*Today*

*JK*  
*revised*  
*note*  
*mm*

I revised pars. (b) and (c) as you requested. I also changed the cross-references on page 2, line 7, to "par. (a) or (b)" and on page 2, line 10, to "par. (a) or (c)". The result of the cross-references is that either pars. (b) or (c) can trigger sending the bill to finance, but if both pars. (b) and (c) apply the bill goes only once to finance. OK?

*You will need to repeal Joint Rule 41(2)(b) if s. 13.093(2)(c), state is repealed.*

Atty. Peter J. Dykman  
Deputy Chief  
266-7098

*On LRB-0587/3,  
I only changed the ~~date~~  
drafter's note and added  
to the analysis.*



1999 BILL

Today  
D-NOTE

1 AN ACT to repeal 13.093 (2) (c); to renumber and amend 13.093 (1); and to  
2 create 13.093 (1) (a) to (c) of the statutes; relating to: referral of bills to the  
3 joint committee on finance and preparation of fiscal estimates on penalty bills.

**Analysis by the Legislative Reference Bureau**

This bill requires that all bills to which a committee of either house or a joint committee has recommended adoption of an amendment for the appropriation of money, providing for revenue or relating to taxation, and for which the committee has recommended passage of or concurrence in, be referred to the joint committee on finance before being passed. It also requires that all bills to which either house of the legislature has adopted an amendment for the appropriation of money, providing for revenue or relating to taxation be referred to the joint committee on finance before being passed. Under the bill, no bill need be re-referred to the joint committee

Present law provides that all bills containing a penalty provision but no other provision requiring a fiscal estimate are exempt from the fiscal estimate requirement. This bill removes that exemption.

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

4 SECTION 1. 13.093 (1) of the statutes is renumbered 13.093 (1) (intro.) and  
5 amended to read:

on  
finance  
if it  
has  
already  
been  
referred  
to that  
committee

**BILL**

1           13.093 (1) (intro.) All of the following bills introduced in either house of the  
2 legislature for the appropriation of money, providing for revenue or relating to  
3 ~~taxation~~ shall be referred to the joint committee on finance before being passed;

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9 the appropriation of money, providing for revenue or relating to taxation, and for  
10 which the committee has recommended passage or concurrence.

11           (c) Bills, other than bills specified under par. (a) or (b), to which either house  
12 of the legislature has adopted an amendment for the appropriation of money,  
13 providing for revenue or relating to taxation.

14           **SECTION 3.** 13.093 (2) (c) of the statutes is repealed.

15

(END)

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FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0587/3dn  
PJD:kmg:lp

November 4, 1998

*On LRB-0587/3, I only changed the drafter's note and added to the analysis.*

I revised pars. (b) and (c) as you requested. I also changed the cross-references on page 2, line 7, to "par. (a) or (c)" and on page 2, line 11, to "par. (a) or (b)". The result of the cross-references is that either pars. (b) or (c) can trigger sending the bill to finance, but if both pars. (b) and (c) apply the bill goes only once to finance. OK?

You will need to repeal Joint Rule 41 (2) (b) if s. 13.093 (2) (c), stats., is repealed.

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Deputy Chief  
266-7098

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