

1999 SENATE BILL 302

December 8, 1999 – Introduced by Senators DRZEWIECKI, DARLING, LAZICH, ROSENZWEIG, FARROW, SCHULTZ, HUELSMAN, ROESSLER, WIRCH, A. LASEE and PANZER, cosponsored by Representatives HAHN and F. LASEE. Referred to Committee on Senate 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** 13.124 of the statutes; **relating to:** withholding of legislator pay and
3 reimbursement of certain expenses.

Analysis by the Legislative Reference Bureau

This bill provides that, if the legislature has not passed the biennial budget bill before July 1 of the odd-numbered year, no member of the legislature may receive any instalments of his or her salary or be paid any expenses to which the member is entitled for food and lodging for each day that he or she is in Madison on legislative business or for work as a member of a committee 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 instalments and all expenses 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 instalments and all expenses on the last day of the session that were withheld during the session.

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

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

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

4 **SECTION 2.** 13.123 (1) (c) of the statutes is amended to read:

5 13.123 (1) (c) Each member shall certify to the chief clerk of the house in which
6 the member serves, as promptly as may be following the 1st of each month, the
7 number of days during the previous calendar month on which the member was in
8 Madison on legislative business and for which the member seeks the allowance
9 provided by this subsection. ~~Such~~ Subject to s. 13.124, such allowances shall be paid
10 from the appropriation under s. 20.765 (1) (a) or (b) within one week after each
11 calendar month; and shall be paid, upon the filing with the department of
12 administration, the chief clerk's affidavit stating the number of days in Madison on
13 legislative business for all members of the chief clerk's house.

14 **SECTION 3.** 13.124 of the statutes is created to read:

15 **13.124 Withholding of legislator salaries and certain expense**
16 **reimbursements.** If the legislature has not passed the biennial budget bill or bills
17 under s. 16.47 (1) before July 1 of the odd-numbered year, no member of the
18 legislature may receive a salary instalment, as required under s. 13.121 (1), or be
19 paid any expenses to which the member is entitled under s. 13.123 (1) or 13.45 (3)
20 (a) until such time as the legislature has passed the biennial budget bill or bills.
21 Upon passage of the biennial budget bill or bills, the members of the legislature shall
22 receive all salary instalments and be paid all expenses that were withheld during the
23 period before passage of the biennial budget bill or bills. If the legislature has not
24 passed the biennial budget bill or bills before the end of the legislative session, the

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1 members of the legislature shall receive all salary instalments and be paid all
2 expenses on the last day of the session that were withheld during the session.

3 **SECTION 4.** 13.45 (3) (a) of the statutes is amended to read:

4 13.45 (3) (a) For any day for which the legislator does not file a claim under s.
5 13.123 (1), and subject to s. 13.124, any legislator appointed to serve on a legislative
6 committee or a committee to which the legislator was appointed by either house or
7 the officers thereof shall be reimbursed from the appropriations under ss. 20.315 (1)
8 (q) and 20.765 (1) (a) or (b) for actual and necessary expenses incurred as a member
9 of the committee.

10 **SECTION 5.** 16.53 (1) (d) 1. of the statutes is amended to read:

11 16.53 (1) (d) 1. The secretary, with the approval of the joint committee on
12 employment relations, shall fix the time, except as provided in ss. 13.124, 106.21 (9)
13 (c) and 106.215 (10) (c), and frequency for payment of salaries due elective and
14 appointive officers and employes of the state. As determined under this subdivision,
15 the salaries shall be paid either monthly, semimonthly or for each 2-week period.

16 (END)