

1999 DRAFTING REQUEST

Bill

Received: 10/28/1999

Received By: **champra**

Wanted: **Soon**

Identical to LRB:

For: **Gary Drzewiecki (608) 266-5670**

By/Representing: **Louie**

This file may be shown to any legislator: **NO**

Drafter: **champra**

May Contact:

Alt. Drafters:

Subject: **Legislature - miscellaneous
Employ Pub - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given


Topic:

Suspension of legislator pay

Instructions:

Provide that legislators will not be paid anytime after July 1 if the budget bill has not been enacted

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Required</u>
/P1	champra 11/02/1999	jgeller 11/03/1999	martykr 11/03/1999	_____	lrb_docadmin 11/03/1999	
/1	champra 11/05/1999	jgeller 11/05/1999	martykr 11/05/1999	_____	lrb_docadmin 11/05/1999	lrb_docadmin 11/05/1999

FE Sent For:

<END>

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May Contact:

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Employ Pub - miscellaneous

Extra Copies: JTK & PSD

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Suspension of legislator pay

Instructions:

Provide that legislators will not be paid anytime after July 1 if the budget bill has not been enacted

Do NOT submit
"IP" draft; keep
file up front.

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>
/?	champra	1/1 1/3 jlg	km 1/3	1/1 1/3 km 1/3			
		1 1/4 jlg	km 1/5	km 1/5			

FE Sent For:

<END>

→ Salary : per diem

→ if budget bill is not passed by both houses of the
legislat by July 1 —————

1st of the 1st month following
prorata



LD-note
State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3842/P1

RAC:...

Sw

JLg

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

gen cat ✓

1 AN ACT ...; relating to: withholding of legislator pay and payment of certain
2 in-session expenses.

Analysis by the Legislative Reference Bureau

This bill provides that if the assembly and senate have 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 in-session expenses to which the member is entitled until the assembly and senate have 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 in-session expenses that were withheld during the period before passage of the biennial budget bill. If the assembly and senate have not passed the biennial budget bill before the end of the legislative session, however, the members of the legislature are to be all salary instalments and all in-session expenses on the last day of the session that were withheld during the session. paid

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

3 SECTION 1. 13.121 (1)^X of the statutes is amended to read:

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 History: 1973 c. 51, 243; 1977 c. 196 s. 131; 1981 c. 96 s. 67; 1983[✓] s. 8, 9, 2202 (33); 1991 a. 316.

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 History: 1971 c. 13; 1973 c. 1; 1975 c. 39; 199: 1977 c. 115, 277, 325; 1979 c. 34 s. 2100; 1983 a. 27 ss. 10, 2202 (33); 1991 a. 316; 1993 a. 52; 1995 a. 27, 225; 1997 a.
27.

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

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

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

3 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3842/P1dn

RAC: ⁷.....

JG

Jeff and Peter:

Because this draft involves ch. 13, I would appreciate any comments either of you might have regarding the changes I make to ch. 13 before I submit the draft to Sen. Drzewiecki. Many thanks.

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: Rick.Champagne@legis.state.wi.us

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

LRB-3842/P1dn
RAC;jlg:km

November 3, 1999

Jeff and Peter:

Because this draft involves ch. 13, I would appreciate any comments either of you might have regarding the changes I make to ch. 13 before I submit the draft to Sen. Drzewiecki. Many thanks.

Rick A. Champagne
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Phone: (608) 266-9930
E-mail: Rick.Champagne@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3842/P1

RAC:jlg:km

Today Noon

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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

Reger

- 1 AN ACT to amend 13.121 (1) and 13.123 (1) (c); and to create 13.124 of the
- 2 statutes; relating to: withholding of legislator pay and ^{reimbursement} ~~payment~~ of certain
- 3 ~~in-session~~ expenses.

Analysis by the Legislative Reference Bureau

legislature has

This bill provides that, if the ~~assembly and senate have~~ 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 ~~in-session~~ expenses to which the member is entitled until the ~~assembly and senate have~~ 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 ~~in-session~~ expenses that were withheld during the period before passage of the biennial budget bill. If the ~~assembly and senate have~~ 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 ~~in-session~~ 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) ^x of the statutes is amended to read:

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) ^X 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 ^X of the statutes is created to read:

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

or bills under s. 16.470.1 ✓

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

3 →

(END)

Insert
3-3

3-3

Section #. 13.45 (3) (a) of the statutes is amended to read:

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

History: 1975 c. 224; 1977 c. 325; 1979 c. 34 s. 2102 (48) (a); 1981 c. 391; 1983 a. 27 s. 2202 (33); 1987 a. 186; 1989 a. 31; 1991 a. 316; 1993 a. 52, 184; 1995 a. 27; 1997 a. 27.

and subject to s. 13.124^v,



Section #. 16.53 (1) (d) 1. of the statutes is amended to read:

13.124,

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

History: 1971 c. 100 s. 23; 1971 c. 215, 261; Sup. Ct. Order, 67 Wis. 2d 585, 773 (1975); 1975 c. 39, 164, 198, 397, 422; 1977 c. 29, 196, 418; 1979 c. 34, 221; 1981 c. 1, 20; 1983 a. 3, 27, 192, 368; 1985 a. 29, 300; 1985 a. 332 ss. 15, 251 (1); 1987 a. 399; 1989 a. 31; 1989 a. 125 ss. 1, 10; 1991 a. 39, 316; 1993 a. 80, 399; 1995 a. 27 ss. 301, 302, 9126 (19), 9130 (4); 1997 a. 3.

**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: 11/05/1999

To: Senator Drzewiecki

Relating to LRB drafting number: LRB-3842

Topic

Suspension of legislator pay

Subject(s)

Legislature - miscellaneous, Employ Pub - miscellaneous

1. **JACKET** the draft for introduction Dary F. Drzewiecki

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.

Rick A. Champagne, Senior Attorney
Telephone: (608) 266-9930