

2001 DRAFTING REQUEST

Assembly Resolution

Received: **01/24/2001**

Received By: **dykmapj**

Wanted: **Soon**

Identical to LRB:

For: **Timothy Carpenter (608) 266-1707**

By/Representing: **him**

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

Drafter: **dykmapj**

May Contact:

Alt. Drafters:

Subject: **Legislature - rules**

Extra Copies: **Steve Miller
JTK**

Pre Topic:

No specific pre topic given

Topic:

Kettle commission report number 132

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 01/25/2001	jdyer 01/25/2001	kfollet 01/25/2001	_____	lrb_docadmin 01/25/2001	lrb_docadmin 01/26/2001	

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1?	dykmapj	1/25 jld	kj/1/25	kj/self 1/25			

FE Sent For:

<END>

Dykman, Peter

From: Dykman, Peter
Sent: Wednesday, January 24, 2001 5:53 PM
To: Dykman, Peter

131. The state ought to promote the consistent generation of local fiscal estimates and recommend implementation of the following change in procedures as outlined in Joint Rule 42. General procedures: “(c) For bills with a fiscal impact on general local government, the department of administration shall obtain the requisite information from all appropriate state agencies. In addition, the Legislative Fiscal Bureau shall consult with appropriate local government officials and prepare a fiscal estimate independent of the fiscal estimate prepared by the Wisconsin Department of Administration. (Underlined text represents new language.)

Moreover, a budget prepared by the state may currently include items that impact local government by either increasing expenses and/or decreasing revenues. Local government budgets, except for schools, are prepared and adopted in December of each calendar year. In those years when the state is preparing its biennial budget, items impacting local government may appear well after local government budgets have been adopted.

Local governments and citizens are best served when state budgetary items impacting local government are identified and defined well in advance of the deadline for the adoption of local governments’ budgets. The failure to do this has contributed to a deterioration of the state-local partnership. The Commission therefore recommends:

132. The state either by procedural rule, and/or by rule of law, should provide that any item in the state budget that impacts local governments by either decreasing their revenues or increasing their expenses, shall not become effective upon adoption of the state budget. Rather, any such provision shall become effective no earlier than one calendar year from the date on which the state budget is adopted. This rule shall not prohibit the adoption of an item necessary to address an emergency.

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Fax: (608) 264-8522
Email: Peter.Dykman@legis.state.wi.us



JLD

2001 ASSEMBLY RESOLUTION

Handwritten signature

- 1 **To amend** assembly rule 39 (2) and assembly rule 53 (intro.); [✓]**relating to:** requiring
2 the legislative reference bureau to include delayed effective dates in certain
3 drafts.

Analysis by the Legislative Reference Bureau

Assembly Rules 39 (2) and 53 (intro.): These rules are amended to require the legislative reference bureau to include a delayed effective date of at least one year in drafts of proposals that are for incorporation into the biennial budget bill and amendments to the biennial budget bill if the legislation would decrease the revenue or increase the cost of local governmental units.

- 4 **Resolved by the assembly, That:**
5 **SECTION 1.** Assembly rule 39 (2) is amended to read:
6 **ASSEMBLY RULE 39 (2)** Any proposal introduced or [✓]~~offered for introduction~~ shall
7 have been prepared by the legislative reference bureau and shall conform to the
8 legislative rules and laws governing form. The legislative reference bureau shall
9 include a delayed effective date of at least one year in the draft of a proposal that is

1 for incorporation into the biennial budget bill if the legislation would decrease the
2 revenue or increase the cost of local governmental units.

3 **SECTION 2.** Assembly rule 53 (intro.) is amended to read:

4 **ASSEMBLY RULE 53. Drafting of amendments.** (intro.) Except as authorized
5 in sub. (2), amendments shall be drafted by the legislative reference bureau before
6 being offered for consideration to the assembly, or to any committee by a person other
7 than a member thereof. The legislative reference bureau shall include a delayed

8 effective date of at least one year in a draft of an amendment that is for incorporation
9 into or to the biennial budget bill if the legislation would decrease the revenue or
10 increase the cost of local governmental units. ~~No~~ An amendment prepared by the

11 legislative reference bureau may not be received for consideration if changes have
12 been made in the 5-copy set prepared by the bureau. Amendments may be deposited
13 at the chief clerk's office on any day of the legislative session for the purpose of
14 allowing them to be provided ~~prior to~~ before the 2nd reading stage for the proposals
15 to which the amendments pertain.

16 (END)



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

January 25, 2001

MEMORANDUM

To: Representative Carpenter

From: Attorney Peter J. Dykman, General Counsel

Re: LRB-2220 Kettle commission report number 132

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-7098 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.