

2001 Jr2 DRAFTING REQUEST**Assembly Amendment (AA-ASA1-AB1)**Received: **03/11/2002**Received By: **shoveme**Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-7845**By/Representing: **Ammerman**This file may be shown to any legislator: **NO**Drafter: **shoveme**

May Contact:

Addl. Drafters: **dykmapj**Subject: **Counties - miscellaneous
Munis - miscellaneous
Legislature - miscellaneous**Extra Copies: **JTK, RAC, RJM**Submit via email: **NO**

Pre Topic:

LFB:.....Ammerman -

Topic:

Local governments may request waivers from state mandates; joint committee on mandates

Instructions:

See Attached. Modifications to governor's proposal contained in -4585/2

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	shoveme 03/12/2002	gilfokm 03/12/2002	kfollet 03/13/2002	_____	lrb_docadmin 03/13/2002		
/2	shoveme 03/13/2002 dykmapj 03/13/2002	gilfokm 03/13/2002	kfollet 03/13/2002	_____ _____ _____			
/3				_____ _____	lrb_docadmin 03/14/2002		

03/14/2002 06:05:39 AM

Page 2

LRBb2456

FE Sent For:

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12 NES
FE Sent For: 3/13/02 mg
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3-13-2

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/1	shoveme	1-3/12	KJ	18/1/15			
		3/12/02	3/12	3/12			

11 MESBPTJ
3/12/02

FE Sent For:

<END>

In

WORKING GROUP

Mandate Relief

MES

Modify the Governor's recommendation to allow local governments to request waivers from state mandates and to authorize state agencies to grant waivers from those mandates as follows. Require the Secretary of DOR or the head of the administrative agency assigned the review of the mandate to either grant the request, grant the request in part, or deny the request within 60 days of its receipt by DOR. Specify that the decision of the Secretary or the other agency head be based on at least one of the following criteria: (1) compliance with the mandate would cause undue economic hardship to the political subdivision; (2) compliance with the mandate is not economically efficient; or (3) the mandate is not applicable to the political subdivision other than imposing reporting requirements.

~~Create a Joint Committee on Mandates in the Legislature consisting of five senators and five representatives to the assembly appointed as are the members of standing committees in their respective houses from the majority and minority political parties in each house. Specify that in making the appointments, each house shall designate a cochairperson. Provide that the committee shall meet at the call of one of its cochairpersons. Require the DOR Secretary or the head of the administrative agency reviewing the mandate to notify the Committee if the Secretary or the other agency head grants a request for relief, either in whole or in part. Provide that the Committee has 30 days to approve or reject the administrative agency's action, but authorize the Committee to extend the review period by an additional 30 days, but no more. Provide that the relief request is approved if the Committee fails to meet or meets and takes no action. Modify the Governor's recommendation regarding notification of the political subdivision to delay the notice until after the Committee's action.~~

~~Repeal the requirement that all library programs and materials be provided to the public free of charge.~~

~~Require all state agencies to accept reports from local governments in electronic form. Require the Department of Electronic Government to establish standards for the reports' submission.~~

~~Repeal the requirement that counties must print and stock all state mandated forms used in the courts and other departments on multi-part carbonless stock. Allow local governments to receive all state forms via e-mail and then print them off on regular paper as needed.~~

~~Change the date by which county governments must file annual financial reports with the state from May 15th of each year to June 30th of each year.~~

~~Change the date by which counties must file their Wisconsin Retirement Annual Report for employees from January 31st of each year to February 28th.~~

~~Modify the requirement that all municipalities contract with the State Laboratory of Hygiene for the testing of their water treatment plant to allow testing by other certified laboratories.~~

and private parties

In

WORKING GROUP

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and private parties



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2456/1
MES&PJD...
king

LFB:.....Ammerman – Local governments may request waivers from state mandates; joint committee on mandates

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 8, line 2: after that line insert:

3 "SECTION 9m. 13.59 of the statutes is created to read:

4 13.59 Joint survey committee on mandates. (1) DEFINITIONS. In this
5 section:

6 (a) "Political subdivision" has the meaning given in s. 66.0143 (1). *(a)*

7 (b) "State mandate" has the meaning given in s. 66.0143 (1). *(b)*

8 (2) CREATION. There is created a joint survey committee on mandates,
9 consisting of 3 majority party and 2 minority party senators and 3 majority party and

①

2 minority party representatives to the assembly appointed as are the members of standing committees in their respective houses.

(3) COMMITTEE PROCEDURES. (a) The committee shall meet at the call of either or both of its cochairpersons.

(b) All actions of the committee require the approval of a majority of all of the members.

(4) POWERS AND DUTIES. (a) Within 30 days after being notified pursuant to s. 66.0143 (2) (e), the committee may approve or reject the waiver granted under that paragraph or may extend the time for approval or rejection of the waiver by 30 days or less. If the committee neither approves nor rejects the waiver within the initial or extended period, whichever is applicable, or if the committee does not meet within the initial or extended period, whichever is applicable, the waiver takes effect without committee approval.

(b) The committee may make investigations and hold hearings.”

✓ 2. Page 49, line 4: delete “whether to grant” and substitute “, not later than 60 days after the request for a waiver is received by the department of revenue, whether to grant the waiver completely or partially, or to deny”.

✓ 3. Page 49, line 7: delete “whether to grant the waiver” and substitute “, not later than 60 days after the request for a waiver is received by the department, whether to grant the waiver completely or partially, or to deny the waiver”.

✓ 4. Page 49, line 8: after that line insert:

“(d) In determining whether to grant a waiver under par. (c), the agency or the department of revenue shall base its decision on at least one of the following criteria:

1 1. Whether compliance with the mandate would cause undue economic
2 hardship to the political subdivision.

3 2. Whether compliance with the mandate would not be economically efficient.

4 3. Whether the mandate is not applicable to the subdivision, other than in
5 imposing reporting requirements.

6 (e) If an administrative agency or the department of revenue grants a waiver
7 completely or partially, the secretary of the agency or the secretary of revenue shall
8 so notify the joint survey committee on mandates under s. 13.59. A waiver takes
9 effect only as provided in s. 13.59 (4).”

10

(END)

Shovers, Marc

From: Olin, Rick
Sent: Wednesday, March 13, 2002 4:27 PM
To: Shovers, Marc; Dykman, Peter
Cc: Ammerman, Fred
Subject: LRBb2456/1 Mandate Review

Peter - I've done my part - please do #1) & forward to editing. Thanks, Marc

Please consider two changes to the draft

- PJD* 1. The draft does not specify that in making the appointments, each house shall designate a cochairperson. The language in the motion is based off the language for JCRAR, see s. 13.56 (1).
- MES* 2. See the last line in the motion's first paragraph. The intent is to delay the notification of the political subdivision until after the legislative committee has made its determination, or its review period has expired, whichever is applicable. Thus, some change needs to be made to Page 49, lines 5 and 8 of the JFC substitute amendment.



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2456/1
MES&PJD:kmg/11

Rmk

LFB:.....Ammerman – Local governments may request waivers from state mandates; joint committee on mandates

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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8 (2) CREATION. There is created a joint survey committee on mandates,
9 consisting of 3 majority party and 2 minority party senators and 3 majority party and

1 2 minority party representatives to the assembly, appointed as are the members of
2 standing committees in their respective houses.

3 (3) COMMITTEE PROCEDURES. (a) The committee shall meet at the call of either
4 or both of its cochairpersons.

5 (b) All actions of the committee require the approval of a majority of all of the
6 members.

7 (4) POWERS AND DUTIES. (a) Within 30 days after being notified pursuant to s.
8 66.0143 (2) (e), the committee may approve or reject the waiver granted under that
9 paragraph or may extend the time for approval or rejection of the waiver by 30 days
10 or less. If the committee neither approves nor rejects the waiver within the initial
11 or extended period, whichever is applicable, or if the committee does not meet within
12 the initial or extended period, whichever is applicable, the waiver takes effect
13 without committee approval.

14 (b) The committee may make investigations and hold hearings.”.

15 ✓ 2. Page 49, line 4: delete “whether to grant” and substitute “, not later than
16 60 days after the request for a waiver is received by the department of revenue,
17 whether to grant the waiver completely or partially, or to deny”.

✓ #. Page 49, line 5: delete “the political subdivision and”.

18 3. Page 49, line 7: delete “whether to grant the waiver” and substitute “, not
19 later than 60 days after the request for a waiver is received by the department,

20 whether to grant the waiver completely or partially, or to deny the waiver”.

#. Page 49, line 8: delete that line.

21 4. Page 49, line 8: after that line insert:

22 “(d) In determining whether to grant a waiver under par. (c), the agency or the
23 department of revenue shall base its decision on at least one of the following criteria:

↑ ~~add period~~

1 1. Whether compliance with the mandate would cause undue economic
2 hardship to the political subdivision.

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4 3. Whether the mandate is not applicable to the subdivision, other than in
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6 (e) If an administrative agency or the department of revenue grants a waiver
7 completely or partially, the secretary of the agency or the secretary of revenue shall
8 so notify the joint survey committee on mandates under s. 13.59. A waiver takes
9 effect only as provided in s. 13.59 (4).²

10

(END)

*If a waiver does take effect, the secretary of the agency
or the secretary of revenue shall so notify the
political subdivision in writing.*



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb2456/3
MES&PJD:kmg:kjf

January 2002 Special Session

Wanted Wed 3/13 - pm

LFB:.....Ammerman - Local governments may request waivers from state mandates; joint committee on mandates

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2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2456/3
MES&PJD:kmg:rs

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22 5. Page 49, line 8: delete that line.

23 6. Page 49, line 8: after that line insert:

