

2001 DRAFTING REQUEST

Bill

Received: 01/15/2001

Received By: **champra**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Currier**

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

Drafter: **champra**

May Contact:

Alt. Drafters:

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

Extra Copies: **JTK**

Pre Topic:

DOA:.....Currier -

Topic:

Legislators' expenses; 90% of federal rate

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	champra 01/15/2001	wjackson 01/15/2001	rschluet 01/16/2001	_____	gretskl 01/16/2001		State

FE Sent For:

<END>

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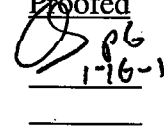
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/?	champra	1 WLJ 1/15	 1-16-1	 1-16-1			

FE Sent For:

<END>

Champagne, Rick

From: Currier, Dawn
Sent: Friday, January 12, 2001 4:41 PM
To: Champagne, Rick
Subject: FW: Proposed Per Diem Language

Rick,

I have just received a request for drafting from DER. The language pertains to the legislative per diem rate and would allow that rate to be set in statute rather than be subject to JCOER approval in the comp plan. DER has submitted three potential drafting options. It is my understanding that one of the legislative leaders favors option 2. The other has not yet decided on an alternative. Can you prepare the language and I will follow-up as soon as I hear from DER or the leadership? Thank you.

Dawn

-----Original Message-----

From: Reinwald, Elizabeth
Sent: Friday, January 12, 2001 11:37 AM
To: Burnett, Douglas
Subject: Proposed Per Diem Language

Thanks for looking at this. Here are 3 versions:

This 1st one locks the rate in for the entire session and imposes a cap of \$108. No amended affidavits are authorized.

~~13.123 Legislators' expenses. (1) IN-SESSION EXPENSES.~~

~~(a) 1. Any member of the legislature who has signified, by affidavit filed with the department of administration, the necessity of establishing a temporary residence at the state capital for the period of any regular or special legislative session shall be entitled to an allowance for expenses incurred for food and lodging for each day that he or she is in Madison on legislative business, but not including any Saturday or Sunday unless the legislator is in actual attendance on such day at a session of the legislature or a meeting of a standing committee of which the legislator is a member. The amount of the allowance shall be established under s. 20.916 (8). The amount shall be 90%, but not to exceed \$108 per day, of the CONUS (Continental United States) per diem rates for travelers on official Government business within the Madison locality, as part of Appendix A of Chapter 301 of the Federal Travel Regulation. The CONUS per diem rates are established by the General Services Administration (GSA), Office of Governmentwide Policy, Office of Transportation and Personal Property, Travel Management Policy Division. The secretary of the department of employment relations shall consult the GSA CONUS rate for Madison on December 1, or first business day thereafter, in each even numbered year and send a notice to the Senate and Assembly chief clerks certifying the expense reimbursement amount for the following biennial session. Each legislator shall file an affidavit with the chief clerk of his or her house certifying the specific dollar amount within the authorized allowance the member wishes to receive. Such affidavit, when filed, shall remain in effect for the biennial session, except that a new affidavit may be filed for any month following an adjustment in the amount of the authorized allowance under s. 20.916 (8).~~

This 2nd one locks in for each biennial session but has no cap.

13.123 Legislators' expenses. (1) IN-SESSION EXPENSES.

(a) 1. Any member of the legislature who has signified, by affidavit filed with the department of administration, the necessity of establishing a temporary residence at the state capital for the period of any regular or special legislative session shall be entitled to an allowance for expenses incurred for food and lodging for each day that he or she is in Madison on legislative business, but not including any Saturday or Sunday unless the legislator is in actual attendance on such day at a session of the legislature or a meeting of a standing committee of which the legislator is a member. The amount of the allowance shall be established under s. 20.916 (8). The amount shall be 90% of the CONUS (Continental United States) per diem rates for travelers on official Government business within the Madison locality, as part of Appendix A of Chapter 301 of the Federal Travel Regulation. The CONUS per diem rates are established by the General Services Administration (GSA), Office of Governmentwide Policy, Office of Transportation and Personal Property, Travel Management Policy Division. The secretary of the department of employment relations shall consult the GSA CONUS rate for Madison on December 1, or first business day thereafter, in each even numbered year and send a notice to the Senate and Assembly chief clerks certifying the expense

reimbursement amount for the following biennial session. Each legislator shall file an affidavit with the chief clerk of his or her house certifying the specific dollar amount within the authorized allowance the member wishes to receive. Such affidavit, when filed, shall remain in effect for the biennial session, except that a new affidavit may be filed for any month following an adjustment in the amount of the authorized allowance under s. 20.916 (8).

This 3rd one would have the Secretary certify the amount each December and allow amended affidavits for the second year of the session.

13.123 Legislators' expenses. (1) IN-SESSION EXPENSES.

(a) 1. Any member of the legislature who has signified, by affidavit filed with the department of administration, the necessity of establishing a temporary residence at the state capital for the period of any regular or special legislative session shall be entitled to an allowance for expenses incurred for food and lodging for each day that he or she is in Madison on legislative business, but not including any Saturday or Sunday unless the legislator is in actual attendance on such day at a session of the legislature or a meeting of a standing committee of which the legislator is a member. ~~The amount of the allowance shall be established under s. 20.916 (8). The amount shall be 90% of the CONUS (Continental United States) per diem rates for travelers on official Government business within the Madison locality, as part of Appendix A of Chapter 301 of the Federal Travel Regulation. The CONUS per diem rates are established by the General Services Administration (GSA), Office of Governmentwide Policy, Office of Transportation and Personal Property, Travel Management Policy Division. The secretary of the department of employment relations shall consult the GSA CONUS rate for Madison on December 1, or first business day thereafter, in each year and send a notice to the Senate and Assembly chief clerks certifying the expense reimbursement amount for the following calendar year. Each legislator shall file an affidavit with the chief clerk of his or her house certifying the specific dollar amount within the authorized allowance the member wishes to receive. Such affidavit, when filed, shall remain in effect for the biennial session, except that a new affidavit may be filed for any month following an adjustment in the amount of the authorized allowance by the secretary of employment relations, under s. 20.916 (8).~~



Seam

DOA:.....Currier – Legislators’ expenses; 90% of federal rate

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

DO NOT GEN

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT ✓

STATE EMPLOYMENT ✓

Any legislator who establishes a temporary residence at the state ^{capital} for the period of any regular or special legislative session may receive an allowance for expenses incurred for food and lodging for each day that he or she is in Madison on legislative business. The amount of the allowance is recommended by the secretary of employment relations and incorporated in the state compensation plan and must be approved by the joint committee on employment relations.

This bill provides that the allowance is 90% of the per diem rate for travel for federal government business within the city of Madison, as established by the federal general services administration. Under the bill, the amount is established before the start of the biennial session and remains in effect the entire biennial session.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

2 SECTION 1. 13.123 (1) (a) 1. ✓ of the statutes is amended to read:

1 13.123 (1) (a) 1. Any member of the legislature who has signified, by affidavit
2 filed with the department of administration, the necessity of establishing a
3 temporary residence at the state capital for the period of any regular or special
4 legislative session shall be entitled to an allowance for expenses incurred for food and
5 lodging for each day that he or she is in Madison on legislative business, but not
6 including any Saturday or Sunday unless the legislator is in actual attendance on
7 such day at a session of the legislature or a meeting of a standing committee of which
8 the legislator is a member. The amount of the allowance for each biennial session
9 shall be ~~established under s. 20.916 (8)~~ [↓] 90% of the per diem rate for travel for federal
10 government business within the city of Madison, as established by the federal
11 general services administration. For the purpose of determining the amount of the
12 allowance, the secretary of employment relations shall certify to the chief clerk of
13 each house the federal per diem rate in effect on December 1, or the first business day
14 thereafter if December 1 is not a business day, in each even-numbered year. Each
15 legislator shall file an affidavit with the chief clerk of his or her house certifying the
16 specific dollar amount within the authorized allowance the member wishes to
17 receive. Such affidavit, when filed, shall remain in effect for the biennial session,
18 ~~except that a new affidavit may be filed for any month following an adjustment in~~
19 ~~the amount of the authorized allowance under s. 20.916 (8).~~

20 **SECTION 2.** 20.916 (8) (a) [↓] of the statutes is amended to read:

21 20.916 (8) (a) The secretary of employment relations shall recommend to the
22 joint committee on employment relations uniform travel schedule amounts for travel
23 by state officers and employees whose compensation is established under s. 20.923
24 or 230.12. Such amounts shall include maximum permitted amounts for meal and
25 lodging costs, special allowance expenses under sub. (9) (d) [↓] and portage tips, except

1 as authorized under s. 16.53 (12) (c). In lieu of the maximum permitted amounts for
2 expenses under sub. (9) (b), (c) and (d), the secretary may recommend to the
3 committee a per diem amount and method of reimbursement for any or all expenses
4 under sub. (9) (b), (c) and (d). ~~The secretary shall also recommend to the committee~~
5 ~~the amount of the allowance for legislative expenses under s. 13.123 (1) (a) 1.~~

History: 1971 c. 261, 270; 1973 c. 51; 1973 c. 90 s. 560 (3); 1973 c. 333; 1975 c. 39; 1975 c. 189 ss. 16, 99 (1), (2); 1975 c. 224, 421, 422; 1977 c. 418 ss. 192m to 195, 924 (18) (b); 1979 c. 221, 328, 355; 1981 c. 317; 1983 a. 27, 140, 495; 1985 a. 34; 1989 a. 31, 107; 1989 a. 125 ss. 2 to 8, 14; 1991 a. 39, 316; 1993 a. 12, 246; 1995 a. 27 ss. 1187, 9126 (19); 1995 a. 37.

6 **SECTION 3.** 20.916 (8) (b) of the statutes is amended to read:

7 20.916 (8) (b) The approval process for the uniform travel schedule amounts
8 ~~and allowances for legislative expenses~~ under this subsection shall be the same as
9 that provided under s. 230.12 (3) (b). The approved amounts for the uniform travel
10 schedule ~~and legislative expense allowances~~ shall be incorporated into the
11 compensation plan under s. 230.12 (1).

History: 1971 c. 261, 270; 1973 c. 51; 1973 c. 90 s. 560 (3); 1973 c. 333; 1975 c. 39; 1975 c. 189 ss. 16, 99 (1), (2); 1975 c. 224, 421, 422; 1977 c. 418 ss. 192m to 195, 924 (18) (b); 1979 c. 221, 328, 355; 1981 c. 317; 1983 a. 27, 140, 495; 1985 a. 34; 1989 a. 31, 107; 1989 a. 125 ss. 2 to 8, 14; 1991 a. 39, 316; 1993 a. 12, 246; 1995 a. 27 ss. 1187, 9126 (19); 1995 a. 37.

12

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2050/1dn

RAC:/.....

WLY

Dawn Currier:

You may wish to have DER review the language to make certain that it achieves your intent. I tried to make the language general enough, so that the provision would not have to be amended in a later session in the event the federal offices were renamed or the rates were set in a different appendix or chapter of the federal regulations.

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-2050/1dn
RAC:wlj:rs

January 16, 2001

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DOA:.....Currier - Legislators' expenses; 90% of federal rate

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This bill provides that the allowance is 90% of the per diem rate for travel for federal government business within the city of Madison, as established by the federal general services administration. Under the bill, the amount is established before the start of the biennial session and remains in effect the entire biennial session.

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6 including any Saturday or Sunday unless the legislator is in actual attendance on
7 such day at a session of the legislature or a meeting of a standing committee of which
8 the legislator is a member. The amount of the allowance for each biennial session
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10 government business within the city of Madison, as established by the federal
11 general services administration. For the purpose of determining the amount of the
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13 each house the federal per diem rate in effect on December 1, or the first business day
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5 ~~committee the amount of the allowance for legislative expenses under s. 13.123 (1)~~
6 (a) 1.

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11 schedule ~~and legislative expense allowances~~ shall be incorporated into the
12 compensation plan under s. 230.12 (1).

13 **(END)**