

**2003 DRAFTING REQUEST**

**Bill**

Received: **01/14/2003**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Sheila Harsdorf (608) 266-7745**

By/Representing: **Christian**

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

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **State Finance - bud generally  
Employ Pub - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Harsdorf@legis.state.wi.us**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Withholding of salary and per diem payments to legislators

---

**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>
/?	rchampag 01/14/2003	wjackson 01/15/2003		_____			
/1			rschluet 01/16/2003	_____	sbasford 01/16/2003	mbarman 01/16/2003	
/2	rchampag	wjackson	pgreensl	_____	amentkow	amentkow	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	02/11/2003	02/11/2003	02/11/2003	_____	02/11/2003	02/11/2003	
/3	rchampag 02/18/2003	wjackson 02/18/2003	rschluet 02/18/2003	_____	mbarman 02/18/2003	amentkow 02/18/2003	

FE Sent For:

*None  
needed*

<END>

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/2	rchampag	wjackson	pgreensl	_____	amentkow	amentkow	

13 WLJ 2/18

2-18:3

PG

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/1		1/2 WLj 2/11	rschluet 01/16/2003	2/11 jeb	sbasford 01/16/2003	mbarman 01/16/2003	

2/11 ps

FE Sent For:

**<END>**

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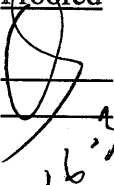
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1?	rchampag	/1 WLj 1/15					
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FE Sent For:

<END>

## **Champagne, Rick**

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**From:** Schneider, Christian  
**Sent:** Tuesday, January 14, 2003 4:27 PM  
**To:** Champagne, Rick  
**Subject:** Bill draft request

Rick,

Can you please redraft 2001 LRB-3530, relating to withholding legislator per diem for late budgets?

Thanks.

Christian Schneider  
Committee Clerk, Senate Committee on Higher Education and Tourism  
Staff, Joint Committee on Finance  
Office of State Senator Sheila Harsdorf  
(608)266-7745  
christian.schneider@legis.state.wi.us



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-3530/1

RAC:wlj:rs

*SSM*

*2003*  
**2001** BILL

LRB-1503/1

RAC:Wlj:

*regm cat.*

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 installments 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 installments 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 installments 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:

**BILL**

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

4           **SECTION 2.** 13.123 (1) (c)<sup>✓</sup> 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,<sup>✓</sup> 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<sup>✓</sup> 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)<sup>✓</sup> before July 1 of the odd-numbered year, no member of the  
18 legislature may receive a salary installment, as required under s. 13.121 (1)<sup>✓</sup>, or be  
19 paid any expenses to which the member is entitled under s. 13.123 (1)<sup>✓</sup> or 13.45 (3)<sup>✓</sup>  
20 (a)<sup>✓</sup> 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 installments and be paid all expenses that were withheld during  
23 the period before passage of the biennial budget bill or bills. If the legislature has  
24 not passed the biennial budget bill or bills before the end of the legislative session,

**BILL**

1 the members of the legislature shall receive all salary installments 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 employees of the state. As determined under this  
15 subdivision, the salaries shall be paid either monthly, semimonthly, or for each  
16 2-week period.

17 (END)

**Barman, Mike**

---

**From:** Schneider, Christian  
**Sent:** Thursday, January 16, 2003 9:54 AM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB-1503/1 Topic: Withholding of salary and per diem payments to legislators

It has been requested by <Schneider, Christian> that the following draft be jacketed for the SENATE:

Draft review: LRB-1503/1 Topic: Withholding of salary and per diem payments to legislators

## Champagne, Rick

---

**From:** Schneider, Christian  
**Sent:** Friday, February 07, 2003 1:03 PM  
**To:** Champagne, Rick  
**Subject:** LRB 1503 draft

Rick,

On our draft of LRB 1503, which is withholding per diem for legislators for a late budget, the draft we have allows legislators to recoup the per diem they lose once the budget is passed. We would like to draft it to say that legislators lose per diem permanently for every day after June 30th of every odd numbered year, or whenever the budget is due.

Thanks.

Christian Schneider  
Committee Clerk, Senate Committee on Higher Education and Tourism  
Staff, Joint Committee on Finance  
Office of State Senator Sheila Harsdorf  
(608)266-7745  
[christian.schneider@legis.state.wi.us](mailto:christian.schneider@legis.state.wi.us)



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1503/12

RAC:wlj:1/1

John

RMK

2003 BILL

Need  
jacket  
back

REGEN

1 AN ACT to amend 13.121 (1), 13.1 1.; and  
2 to create 13.124 of the statutes; with 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 installments 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 installments 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 installments and all expenses that were withheld during the session on the last day of the session.

but not

*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:



**BILL**

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~~ installments, 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 installment, 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 installments and be paid all expenses that were withheld during  
23 the period before passage of the biennial budget bill or bills. If the legislature has  
24 not passed the biennial budget bill or bills before the end of the legislative session,

**BILL**

1 the members of the legislature shall on the last day of the session receive all salary  
2 installments ~~and be paid~~, <sup>but not</sup> all expenses 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 employees of the state. As determined under this  
15 subdivision, the salaries shall be paid either monthly, semimonthly, or for each  
16 2-week period.

17 (END)

## Champagne, Rick

---

**From:** Schneider, Christian  
**Sent:** Monday, February 17, 2003 9:53 AM  
**To:** Champagne, Rick  
**Subject:** RE: LRB 1503 draft

Correct. Thanks.

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

**From:** Champagne, Rick  
**Sent:** Monday, February 17, 2003 9:49 AM  
**To:** Schneider, Christian  
**Subject:** RE: LRB 1503 draft

Sorry for the misunderstanding. So, salary not withheld, but no per diems are paid for any period that budget is not on time.

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

**From:** Schneider, Christian  
**Sent:** Monday, February 17, 2003 9:44 AM  
**To:** Champagne, Rick  
**Subject:** RE: LRB 1503 draft

Rick:

I received your LRB 1503 redraft, and from my understanding, it looks like salary and per diem are withheld and legislators only lose the per diem withheld if the budget is not passed by the end of the legislative session. We were actually looking for something much simpler. All we want is to say that legislators lose per diem permanently for the period of time that the budget is late. No withholding of salary, and no giving any money back at any point. Once the budget is passed, per diem payments begin again.

Thanks,

Chris

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

**From:** Champagne, Rick  
**Sent:** Friday, February 07, 2003 1:39 PM  
**To:** Schneider, Christian  
**Subject:** RE: LRB 1503 draft

I'll take care of that in a redraft.

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

**From:** Schneider, Christian  
**Sent:** Friday, February 07, 2003 1:03 PM  
**To:** Champagne, Rick  
**Subject:** LRB 1503 draft

Rick,

On our draft of LRB 1503, which is withholding per diem for legislators for a late budget, the draft we have allows legislators to recoup the per diem they lose once the budget is passed. We would like to draft it to say that legislators lose per diem permanently for every day after June 30th of every odd numbered year, or whenever the budget is due.

Thanks.

**Christian Schneider**  
**Committee Clerk, Senate Committee on Higher Education and Tourism**  
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**Office of State Senator Sheila Harsdorf**

(608)266-7745  
christian.schneider@legis.state.wi.us



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1503/3  
RAC:wlj

Sum

RMR

2003 SENATE BILL

during the period that begins on July 1 of the odd-numbered year and

-regen. cot.

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~~ <sup>nonpayment</sup> of certain expenses. legislative

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 installments 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 installments 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 installments, but not all expenses, that were withheld during the session on the last day of 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:

## SENATE BILL

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 ~~installments~~, the salary provided under s. 20.923.

4           SECTION 2. 13.123 (1) (c) <sup>✓</sup>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, <sup>✓</sup>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~~ <sup>Ⓢ Nonpayment of</sup> certain expense  
 16          reimbursements. If the legislature has not passed the biennial budget bill or bills  
 17          under s. 16.47 (1) <sup>✓</sup>before July 1 of the odd-numbered year, no member of the  
 18          legislature may ~~receive a salary installment, 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) <sup>✓</sup>until such time as the legislature has passed the biennial budget bill or bills.  
           <sup>✓</sup> during the period that begins on July 1 of the odd-numbered year and

21          Upon passage of the biennial budget bill or bills, the members of the legislature shall  
 22          receive all salary installments and be paid all expenses that were withheld during  
 23          the period before passage of the biennial budget bill or bills. If the legislature has  
 24          not passed the biennial budget bill or bills before the end of the legislative session,

**SENATE BILL**

1 ~~the members of the legislature shall on the last day of the session receive all salary~~  
2 ~~installments, but not all expenses, 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  
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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  
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16 2-week period.

17 (END)