

2007 DRAFTING REQUEST

Assembly Joint Resolution

Received: 04/25/2007

Received By: **smiller**

Wanted: **Soon**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing: **Kurt Simatic**

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

Drafter: **smiller**

May Contact:

Adl. Drafters:

Subject: **Constitutional Amendments**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Albers@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibit Supreme Court from assessing fees on officers of the court without statutory authority

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>
/?	smiller 05/02/2007	kfollett 05/02/2007		_____			
/1			rschluet 05/02/2007	_____	cduerst 05/02/2007	cduerst 05/02/2007	

FE Sent For: *None*

<END>

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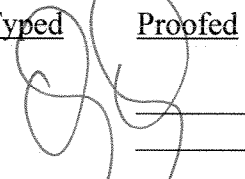
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/?	smiller	11/5f 5/2					

FE Sent For:

<END>

07-2594

Miller, Steve

From: Simatic, Kurt
Sent: Wednesday, April 25, 2007 3:11 PM
To: Karls, Jessica; Miller, Steve
Cc: Steven Levine; Knudson, Steve
Subject: AJR 30 redraft

State Bar *Gundrum*

Jessica and Steve:

Because of the germaneness question arising from a sub amendment to ¹⁹⁴⁹AJR 30 (along the lines of the court assessing only those fees which the legislature approves of), we would like to draft a new bill based on your suggestions.

Would you be willing to take a crack at it? I believe the preliminary language that Albers and Gundrum liked was:

The Supreme Court shall not assess any fees on officers of the court in this state except those permitted by statute.

I used the phrase "officers of the court" so that it would include judges as well.

The next possible meeting day for Election and Con. Law is May 3, but I think that in order to get a consensus on this draft, circulate for co-sponsors, introduce the bill, and properly notice for a public hearing, May 17 is more likely.

Thanks.

Kurt Simatic
Office of State Representative Sheryl K. Albers
115 West
State Capitol
Madison, WI 53708
608-266-8531
kurt.simatic@legis.wisconsin.gov



stein:kjf

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
2007 ASSEMBLY JOINT RESOLUTION

Gen

1 **Relating to:** prohibiting the Supreme Court from assessing fees on attorneys,
2 judges, or justices without statutory authority.

Analysis by the Legislative Reference Bureau

X Currently the supreme court by rule requires all practicing attorneys to belong to the State Bar of Wisconsin and to pay bar dues. A portion of the bar dues includes fees for various purposes.

X Under this proposed constitutional amendment, proposed to the 2007 legislature on first consideration, the Supreme Court may not assess fees on attorneys, judges, or justices without statutory authority.

X A proposed constitutional amendment requires adoption by (2) successive legislatures, and ratification by the people, before it can become effective.

3 ***Resolved by the assembly, the senate concurring, That:***

4 **SECTION 1.** Section 3 (4) of article VII of the constitution is created to read:

5 [Article VII] Section 3 (4) The Supreme Court may not assess a fee on any
6 attorney, judge, or justice without statutory authority.

7 **SECTION 2. Numbering of new provision.** The new subsection (4) of section
8 3 of article VII of the constitution created in this joint resolution shall be designated

1 by the next higher open whole subsection number in that section in that article if,
2 before the ratification by the people of the amendment proposed in this joint
3 resolution, any other ratified amendment has created a subsection (4) of section 3 of
4 article VII of the constitution of this state. If one or more joint resolutions create a
5 subsection (4) of section 3 of article VII simultaneously with the ratification by the
6 people of the amendment proposed in this joint resolution, the subsections created
7 shall be numbered and placed in a sequence so that the subsections created by the
8 joint resolution having the lowest enrolled joint resolution number have the numbers
9 designated in that joint resolution and the subsections created by the other joint
10 resolutions have numbers that are in the same ascending order as are the numbers
11 of the enrolled joint resolutions creating the subsections.

12 ***Be it further resolved, That*** this proposed amendment be referred to the
13 legislature to be chosen at the next general election and that it be published for 3
14 months previous to the time of holding such election.

15 (END)

Duerst, Christina

From: Simatic, Kurt
Sent: Wednesday, May 02, 2007 10:49 AM
To: LRB.Legal
Subject: Draft Review: LRB 07-2594/1 Topic: Prohibit Supreme Court from assessing fees on officers of the court without statutory authority

Please Jacket LRB 07-2594/1 for the ASSEMBLY.