

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0914/P2dn
ARG:kjf:rs

December 9, 2008

ATTN: Ryan Schroeder

I have drafted the additional \$5 vehicle registration fee to apply each year, forever, once a person has received his or her first OWI. Please let me know if this is not consistent with your intent. I also note that only convictions, not refusals, are considered under the provisions of the draft.

I do not know whether the additional \$5 fee will be sufficient to cover DOT's costs. I recommend that you have the draft reviewed by DOT.

I note that, under s. 16.47 (2), neither house may pass any bill containing an appropriation, increasing the cost of state government, or decreasing state revenues by more than \$10,000 annually until both houses pass the executive budget bill, except that the governor or Joint Committee on Finance may recommend and the legislature may enact emergency appropriation bills during that period. While s. 16.47 (2) establishes a rule of legislative procedure and the legislature (not the courts) would determine the extent to which it is enforced, s. 16.47 (2) underpins other practical considerations. Because the biennial budget act repeals and recreates the appropriation schedule under s. 20.005, if this draft is introduced and enacted before the budget act is enacted and the provisions of this draft are not incorporated into the budget act, the budget act will eliminate the appropriation created by this draft.

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