

2011 DRAFTING REQUEST

Senate Amendment (SA-AB40)

Received: **06/16/2011**

Received By: **rkite**

Wanted: **As time permits**

Companion to LRB:

For: **Mark Miller (608) 266-9170**

By/Representing: **Beth Bier**

May Contact:

Drafter: **rkite**

Subject: **Local Gov't - misc**
Criminal Law - law enforcement
Fin. Inst. - int. rates/loans

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Miller@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Local Government/Public Safety/Consumer Protection; package 5

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>
/?	rkite 06/16/2011	jdye 06/16/2011		_____			
/1			jfrantze 06/16/2011	_____	lparisi 06/16/2011	lparisi 06/16/2011	
/2	agary 06/16/2011	nmatzke 06/16/2011	rschlue 06/16/2011	_____	sbasford 06/16/2011	sbasford 06/16/2011	

FE Sent For:

<END>

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/?	rkite 06/16/2011	jdyer 06/16/2011		_____			
/1		1/2 nwn 6/16	jfrantze 06/16/2011	_____	lparisi 06/16/2011	lparisi 06/16/2011	

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Carbon copy (CC:) to:

*For questions
see RNK or
RPN*

Pre Topic:

No specific pre topic given

Topic:

Local Government/Public Safety/Consumer

Instructions:

See attached

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1/?	rkite	1/15/16 6/16	J 6/16	R2 6/16			

FE Sent For:

<END>

Kite, Robin

From: Hanaman, Cathlene
Sent: Thursday, June 16, 2011 9:13 AM
To: Aaron Gary; Becky Tradewell; Christopher Sundberg; Eric Mueller; Fern Knepp; Gordon Malaise; Jeffery Kuesel; Joseph Kreye; Marc Shovers; Mark Kunkel; Mary Gibson-Glass; Michael Gallagher; Pam Kahler; Peggy Hurley; Peter Grant; Rick Champagne; Robert Nelson; Robin Kite; Steve Miller; Tamara Dodge; Tracy Kuczenski
Subject: FW: Package #5

Robin will be playing the role of Bob and orchestrating this one.

From: Bier, Beth
Sent: Wednesday, June 15, 2011 11:35 PM
To: Hanaman, Cathlene
Subject: Package #5

add in local draft

Requestor Label: **Local Government/Public Safety/Consumer Protection**

1. County & Municipal Aid (Restore) p. 561 #2 JK b1275
2. Youth Aids (Restore) p.212 #7 MPG ins.
3. Working Lands Initiative – PACE Funding (Restore) p.60 #6 RCT b1146
4. WI CASA – fund with Byrne Grants (Addition) p.32 #23 MPG ins.
5. Law Enforcement Grant Funding (Restore) \$136,100 PJH ins.
6. Judicial Commission Compensation (Remove Sunset), p.592 #8 PJH ins.
7. District Attorney IT Program Funding (Restore) p.48 #6 PJH ins.
8. District Attorney Position Authority (Addition) 50 positions PJH ins.
9. Bail bondsmen (Repeal) p.554 #20 MPG ins.
10. Fund Polling Hour Extension (Restore) p.305 #11 JTK ins.
11. Disciplinary Provisions for Police & Fire (Repeal) p.236 #12 CMH ins
12. Shared Revenue – Repeal Emergency Services for Maintenance of Effort (Repeal) p.566 #8 JK b1086
13. Auto Title Loans (Repeal), p. 253 #15 – ARG ins.
14. Pay Day Loans (Repeal) p. 251 #14 – ARG ins.
15. Judicial Council Gifts & Grants (Restore) p.593 #9 RPN b1111
16. Credit Unions (Repeal) p.249 #13 – ARG ins.
17. Civil Legal Services for the Indigent (Restore) p. 45 #2 PJH ins

18. Payment of Police Officers Salary & Benefits after Discharge in a 1st Class City (*Repeal*) - ^{EVM} ~~bill~~ ₁₁₅
p.236 #11

19. Private Bar Funding Shortfall (*Fund*) p. 488 #6, \$3.5mil PJHins

20. SWAT, WSIC, include Items 2, 3, 4 from Motion 290

Beth Bier
Office of Senator Mark Miller
PO Box 7882
Madison, WI 53707

608.266.9170
Beth.Bier@legis.wisconsin.gov



underlying

State of Wisconsin
2011 - 2012 LEGISLATURE



Rm not run

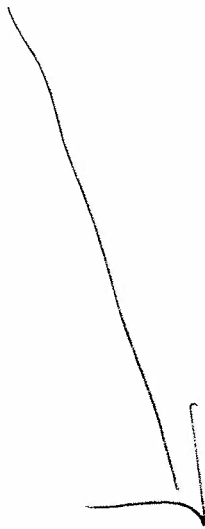
LRBb1405/?

All:all

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
SENATE AMENDMENT,
TO 2011 ASSEMBLY BILL 40

1 At the locations indicated, amend the bill as follows:

2 (END)



2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1405/linsJTK
JTK.....

10

INS
JTA

✓
1. Page 4, line 4: delete lines 4 to 7.

1-1A

✓
2. Page 257, line 13: after that line insert:

INS
JTA 1-9B1M

✓
"b) Election-related cost reimbursement GPR B 82,600 82,600".

✓
3. Page 364, line 5: delete that line.

INS JTA 1-10C

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1405/linsAG
ARG:.....

1 #13,14,16 Ins Not Order
2 ARG 2-D
3 ↓

4 1. Page 1094, line 22: delete the material beginning with that line and ending
5 with page 1095, line 18. ✓

6 2. Page 1095, line 23: delete the material beginning with that line and ending
7 with page 1102, line 14.

8 B
9 3. Page 1127, line 5: delete lines 5 to 25, as affected by assembly amendment
10 1 to assembly amendment 1. ✓

11 4. Page 1128, line 1: delete lines 1 to 25, as affected by assembly amendment
12 1 to assembly amendment 1. ✓

13 5. Page 1129, line 1: delete lines 1 to 25.

14 6. Page 1134, line 5: delete lines 5 to 9. ✓

15 7. Page 1134, line 17: delete the material beginning with that line and ending
16 with page 1135, line 6.

17 8. Page 1137, line 10: delete lines 10 to 20. ↑

Ins 18 9. Page 1511, line 15: delete lines 15 to 25.

ARG 2-11C

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1405/linsch
CMH:.....

11.

Ins 2-10 CMH Not Ordered

1 **1.** Page 975, line 9: in the material inserted by assembly amendment 1 to
2 assembly amendment 1, delete page 30, lines 15 to 17, and substitute:

3 “**SECTION 2407dg.** 111.70 (4) (c) 2. a. of the statutes, as affected by 2011
4 Wisconsin Act 10, is repealed and recreated to read:

5 111.70 (4) (c) 2. a. Parties to a dispute pertaining to the meaning”

6 **2.** Page 975, line 9: in the material inserted by assembly amendment 1 to
7 assembly amendment 1, after page 30, line 21, insert:

8 “**SECTION 2407dL.** 111.70 (4) (c) 2. b. of the statutes is created to read:

9 111.70 (4) (c) 2. b. A collective bargaining agreement may, notwithstanding s.
10 62.13 (5), contain dispute resolution procedures, including arbitration, that address
11 the suspension, reduction in rank, suspension and reduction in rank, or removal of
12 such personnel. If the procedures include arbitration, the arbitration hearing shall
13 be public and the decision of the arbitrator shall be issued within 180 days of the
14 conclusion of the hearing.”.

15 ~~Cross-reference:~~ ~~Cross-reference:~~ ~~Cross-reference:~~ See also ch. ERC 16, Wis. adm. code. ~~Cross-reference:~~
History: 1971 c. 124, 246, 247, 307, 336; 1973 c. 64, 65; 1977 c. 178, 186, 272, 442, 449; 1979 c. 32 s. 92 (15); 1981 c. 20, 112, 187; 1983 a. 189, 192; 1985 a. 29; 1985
a. 182 s. 57; 1985 a. 318; 1987 a. 153, 399; 1991 a. 136; 1993 a. 16, 429, 492; 1995 a. 27, 225, 289; 1997 a. 27, 237; 1999 a. 9, 65; 1999 a. 150 s. 672; 2001 a. 16; 2005 a. 253;
2007 a. 20; 2009 a. 15, 21, 28, 34, 60, 402; s. 13.92 (2) (i).

16 **3.** Page 975, line 19: delete that line.

17 **4.** Page 1514, line 2: delete the material beginning with “and (mc)” and ending
18 with “and 3.” on line 3. *Ins CMH 2-11 D*

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1405/ins8
MPG:.....

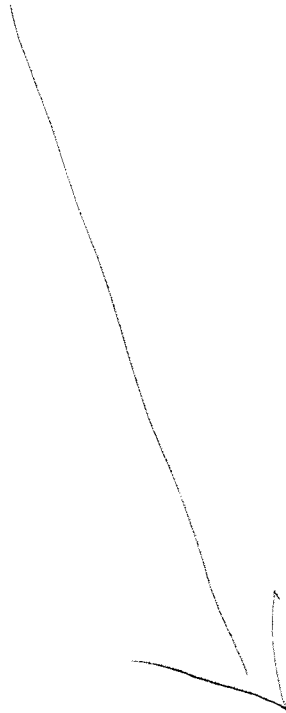
INS. JTK
-IA

INSERT NO. 8

No. 8
MPG

1

1. Page 77, line 23: delete that line.





PAGE

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 40**

#3.



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

2 **1.** Page 108, line 3: after that line insert:

3 “(br) Principal repayment and inter-
4 est; agricultural conservation
5 easements GPR S -0- -0-”.

6 **2.** Page 109, line 5: after that line insert:

7 “(tb) Principal and interest; agricul-
8 tural conservation easements,
9 working lands fund SEG S -0- -0-”.

10 **3.** Page 298, line 16: delete lines 16 and 17.

11 **4.** Page 376, line 11: delete “~~(br)~~, and (s), ~~and~~” and substitute “, (br), (s), and”.

INS PH
1-9 A
INS PH
1-9 AM, BC
INS RPN
1-9 D

INS JTK
1-9 BM

INS
MPG 1-10 A
INS
PH
1-10 B
STK
1-10 C
RPN
1-10 D

- 1 **5.** Page 376, line 12: delete "(tb)" and substitute "(tb)".
- 2 **6.** Page 384, line 6: delete that line.
- 3 **7.** Page 407, line 7: delete lines 7 to 18.
- 4 **8.** Page 417, line 3: delete lines 3 to 7.
- 5 **9.** Page 929, line 4: delete the material beginning with that line and ending
- 6 with page 930, line 4.
- 7 **10.** Page 933, line 3: delete lines 3 to 9.
- 8 **11.** Page 1406, line 11: delete lines 11 to 14.

(END)

JK
INS 2-4 B

INS
PH
2-2

INS.
EVM
2-4A

INS.
JK
2-4C

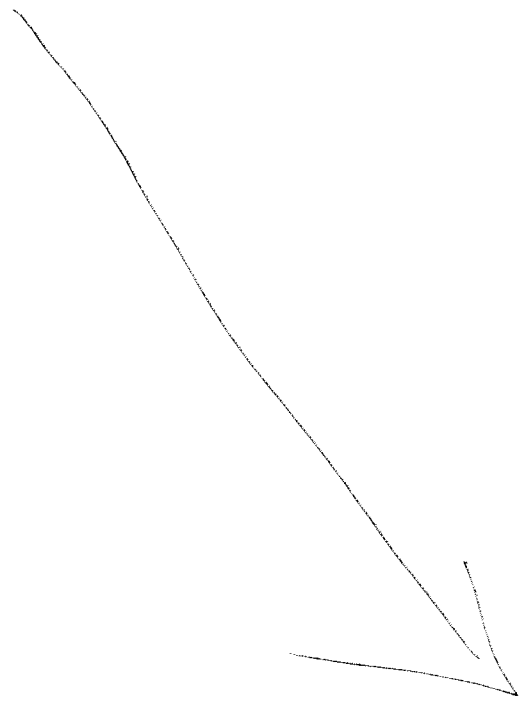
INS 2-10A MPG

INS. MPG
2-10B
INS PH 2-10C
INS. MPG
2-10D

INS 2-10 ARG
Not ordered

INS 2-10 CMH
Not ordered

INS. MPG 2-11A
PH 2-11B
ARG 2-11C
CMH 2-11D
JK 2-11E



2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB
.....

AMENDMENT INSERT PJH MILLER PACKAGE #5 ITEM 20:

1. Page 227, line 2: after that line insert:

X
“(ag) Wisconsin statewide information center GPR A 734,300 -0-
0”.

2. Page 253, line 4: after that line insert:

X
“(am) Regional special weapons and tactics GPR A 500,000 -0-
0”.

3. Page 290, line 12: increase the dollar amount for fiscal year 2012-13 by \$2,051,800 for the purpose of funding the regional special weapons and tactics and bomb response teams, the Wisconsin statewide information center, and the division of Wisconsin emergency management structural collapse rescue program.

4. Page 351, line 2: after that line insert:

“SECTION 684h. 20.455 (2) (ag) of the statutes is created to read:

20.455 (2) (ag) *Wisconsin statewide information center*. The amounts in the schedule to fund the Wisconsin statewide information center.”

5. Page 368, line 14: after that line insert:

727h
“SECTION 766h. 20.505 (6) (am) of the statutes is created to read:

20.505 (6) (am) *Regional special weapons and tactics*. The amounts in the schedule to fund a regional special weapons and tactics and bomb response team.”

6. Page 1402, line 14: after that line insert:

“(2g) EMERGENCY RESPONSE FUNDING. The office of justice assistance in the department of administration shall submit to the joint committee on finance for the approval of that committee under section 13.10 of the statutes a plan to utilize \$2,051,800 in fiscal year 2012-13 to fund the regional special weapons and tactics and bomb response teams, the Wisconsin statewide information center, and the department of military affairs division of Wisconsin emergency management structural collapse rescue program. The office of justice assistance shall include in its request a statement on the impact of federal budget reductions to the homeland security programs and shall include information on its planned expenditures of federal homeland security formula grants for fiscal year 2012-13. The office of justice assistance may not fund regional special weapons and tactics and bomb response teams, the Wisconsin statewide information center, or the department of military affairs division of Wisconsin emergency management structural collapse rescue program from homeland security formula grants.”.

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1405/PJHins

.....

#6

PJH INSERT MILLER #5

ITEM 6:

INS
PH 2-2

1. Page 390, line 5: after that line insert: (Ins A - next pp.)

INS PH
2-100

2. Page 1371, line 20: after that line insert: (Ins B - see later pp)

INS
PH 2-110

3. Page 1494, line 16: delete the material beginning with that line and ending with page 1496, line 1, and substitute: (Ins C - see later pp)
↓ as affected by assembly amendment

ITEM 7: See attached insert

4. Page ?, line ?: in(de)crease the dollar amount for fiscal year 2011-12 by \$???? and in(de)crease the dollar amount for fiscal year 2012-13 by \$???? for the purpose of ????

ITEM 8:

5. Page 1445, line : after that line insert:

“(4m) ASSISTANT DISTRICT ATTORNEY POSITIONS. The authorized FTE positions for assistant district attorneys, funded from the appropriation under s. 20.475 (1) (d), is increased by 50 GPR positions, to provide additional district attorney positions.”.

ITEM 17: See attached insert

ITEM 19:

6. Page 263, line 4: increase the dollar amount for fiscal year 2011-12 by \$3,500,000 for the purpose of funding a shortfall for the 2009-11 fiscal biennium.

BILL

and judges of the court of appeals and circuit court are increased to equal the percentage increase of the highest across-the-board pay adjustment provided for any position in the classified service.

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

*Insert
340.5*

Ins A

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

11
SECTION 1 *804x*

SECTION 1 20.923 (2) (b) of the statutes is amended to read:

20.923 (2) (b) The annual salary of each state senator, and representative to the assembly, ~~justice of the supreme court, court of appeals judge and circuit judge~~ shall be reviewed and established in the same manner as provided for positions in the classified service under s. 230.12 (3). ~~The salary established for the chief justice of the supreme court shall be different than the salaries established for the associate justices of the supreme court.~~ *804x*

SECTION 2 20.923 (3) of the statutes is amended to read:

20.923 (3) JUSTICES AND JUDGES. The annual salary for any supreme court justice or judge of the court of appeals or circuit court shall be ~~established under sub. (2),~~ except that any reviewed and established in the same manner as provided for positions in the classified service under s. 230.12 (3), but shall be based on recommendations submitted to the joint committee on employment relations by the judicial compensation commission under s. 757.84 (2). The compensation adjustments granted under s. 230.12 shall not become effective until such time as any justice or judge takes the oath of office. If the salary adjustment approved by the joint committee on employment relations is less than the percentage increase of any across-the-board pay adjustments for any other position in the classified service, the annual salary adjustment for any supreme court justice or judge of the court of

5

BILL

CONF 1A5 A.

*Insert PW
3905/2011*

1 appeals or circuit court is increased to equal the percentage increase of the highest
2 across-the-board pay adjustment provided for any position in the classified service. 1)

3 **SECTION 3.** 757.84 of the statutes is created to read:

4 **757.84 Judicial compensation commission. (1) MEMBERSHIP;**

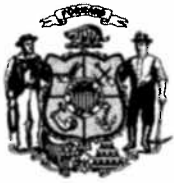
5 APPOINTMENT; TERMS. (a) There is created a judicial compensation commission
6 consisting of 2 members appointed by the governor, one member appointed by the
7 president of the senate, one member appointed by the speaker of the assembly, one
8 member appointed by the dean of the Marquette University Law School, one member
9 appointed by the dean of the University of Wisconsin Law School, and one member
10 appointed by the president of the State Bar of Wisconsin. The judicial compensation
11 commission shall elect one of its members as chairperson. *men*

12 (b) The term of a member is 4 years, expiring on March 1 of the odd-numbered
13 year. Members of the judicial compensation commission shall be reimbursed for
14 expenses necessarily incurred as members of the judicial compensation commission.

15 (2) REVIEW AND RECOMMENDATIONS. Biennially, the judicial compensation
16 commission shall review the salaries of the justices of the supreme court, court of
17 appeals judges, and judges of circuit court. Not later than December 1 of each
18 even-numbered year, the judicial compensation commission shall submit a written
19 report to the governor and the joint committee on employment relations. The report
20 shall include recommendations on salaries of the justices of the supreme court, court
21 of appeals judges, and judges of circuit court.

22 (3) STAFF. The director of state courts shall provide staff and support services
23 to the judicial compensation commission.

24 **SECTION 4. Nonstatutory provisions.**



FAS B

LFB:.....Carmichael - Judicial Compensation Commission

FOR 2011-13 BUDGET - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO 2011 ASSEMBLY BILL 40

3475r [Signature]
"SECTION 3475r, 757.84 of the
statutes is created to read:
③ 757.84 Judicial compensation commission
(1) MEMBERSHIP - APPOINTMENT: TERMS

Insert 137120

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At the locations indicated, amend the bill as follows:

1. Page 1318, line 10: after that line insert:

~~“(1j) JUDICIAL COMPENSATION COMMISSION.”~~

(1) (B)
(a) There is created a judicial compensation commission consisting of 2 members appointed by the governor, one member appointed by the president of the senate, one member appointed by the speaker of the assembly, one member appointed by the dean of the Marquette University Law School, one member appointed by the dean of the University of Wisconsin Law School, and one member appointed by the president of the State Bar of Wisconsin. The judicial compensation commission shall elect one of its members as chairperson. Members of the judicial

1 compensation commission shall be reimbursed for expenses necessarily incurred as
2 members of the judicial compensation commission.

3 ^{(2) (3)} (b) The judicial compensation commission shall review the salaries of the
4 justices of the supreme court, court of appeals judges, and judges of circuit court. Not
5 later than December 1, 2012, ^{of each even-numbered year} the judicial compensation commission shall submit a
6 written report to the governor and the joint committee on employment relations that
7 includes recommendations on salaries of the justices of the supreme court, court of
8 appeals judges, and judges of circuit court.

9 ^{(3) (3)} (c) Notwithstanding section 20.923 (2) (b) of the statutes, for fiscal biennium
10 2013-15, the joint committee on employment relations shall review the
11 recommendations submitted by the judicial compensation commission and shall
12 approve the recommendations unless a majority of its members agree not to approve
13 the recommendations. If a majority of members of the judicial compensation
14 commission agree to modify the recommendations submitted by the judicial
15 compensation commission, it shall state the reasons for the modifications in writing.

16 ^{(4) (3)} (d) Notwithstanding section 20.923 (2) (b) of the statutes, for the fiscal
17 biennium 2013-15, the governor shall provide funding sufficient to implement the
18 recommendations submitted by the judicial compensation commission and approved
19 by the joint committee on employment relations under paragraph (c). If the salary
20 adjustment approved by the joint committee on employment relations is less than the
21 percentage increase of any across-the-board pay adjustments for any other position
22 in the classified service, the annual salary adjustment for any supreme court justice
23 or judge of the court of appeals or circuit court is increased to equal the percentage
24 increase of the highest across-the-board pay adjustment provided for any position
25 in the classified service.

127/2011

1371-8
pr
(S) (B)

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4

(e) The director of state courts shall provide staff and support services to the judicial compensation commission.))

~~(f) This subsection does not apply after December 1, 2012.~~

(END)

of cas B

(1F) / AS C

BILL

Inset
1/4
1994.15

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(1) JUDICIAL COMPENSATION COMMISSION. Notwithstanding the length of terms of the members of the judicial compensation commission specified in section 757.84 (1) of the statutes, as created by this act, the initial members shall be appointed for the following terms:

(a) One member appointed by the governor, for a term expiring on March 1, 2013.

(b) One member appointed by the governor, for a term expiring on March 1, 2015.

(c) The member appointed by the president of the senate, for a term expiring on March 1, 2013.

(d) The member appointed by the speaker of the assembly, for a term expiring on March 1, 2013.

(e) The member appointed by the dean of the Marquette University Law School, for a term expiring on March 1, 2015.

(f) The member appointed by the dean of the University of Wisconsin Law School, for a term expiring on March 1, 2015.

(g) The member appointed by the dean of the president of the State Bar of Wisconsin, for a term expiring on March 1, 2015. 11 •

(END)

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1405/PJHins

.....

✓ 18 (see attached "INS PH 1-9B")

1 **1.** Page 253, line 1: increase the dollar amount for fiscal year 2011-12 by
2 \$136,100 and increase the dollar amount for fiscal year 2012-13 by \$136,100 for the
3 purpose of funding law enforcement grants.

4 ~~**2.** Page 390, line 5: after that line insert:~~

5 ~~**3.** Page 1371, line 20: after that line insert:~~

6 **4.** Page 1494, line 16: delete the material beginning with that line and ending
7 with page 1496, line 1 and substitute:

8 **5.** Page 1445, line 5: after that line insert:

9 “(4m) ASSISTANT DISTRICT ATTORNEY POSITIONS. The authorized FTE positions for
10 assistant district attorneys, funded from the appropriation under s. 20.475 (1) (d),
11 is increased by 50 GPR positions, to provide additional district attorney positions.”.

12 **6.** Page 263, line 4: increase the dollar amount for fiscal year 2011-12 by
13 \$3,500,000 for the purpose of funding a shortfall for the 2009-11 fiscal biennium.



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBb1115/1
EVM:kjf:md

ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 40

Package # 5

*18. Payment of P.O. salary & benefits
after Discharge in a 1st Class City*

INS. EVM 2-4 A

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

2 **1.** Page 652, line 1: delete lines 1 to 18.

3 (END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBb1086/1

JK:nwn:ph

ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 40

#12.

Insert JA 2.4C

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

2 **1.** Page 894, line 16: delete that line.

3 (END)



ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 40

#1.

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

2 **1.** Page 884, line 21: delete the material beginning with that line and ending
3 with page 885, line 2.

4 **2.** Page 886, line 23: delete the material beginning with that line and ending
5 with page 890, line 18.

6 **3.** Page 894, line 4: delete "~~and in subsequent years~~" and substitute "and in
7 subsequent years".

8 **4.** Page 1517, line 7: delete "(2d) and".

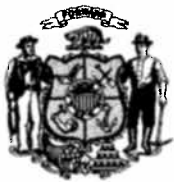
9 **5.** Page 1517, line 8: delete "(4), and".

10 **6.** Page 1517, line 9: delete "(5), 79.043" and substitute "79.043".

11

(END)

Ins
JK
2-4 B
Ins.
JK
2-11 E



**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 40**

*Insert PJH
(Item # 17)*

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

2 **1.** Page 53, line 23: delete that line.

3 **2.** Page 245, line 17: after that line insert:

*Ins
PJH 1-9A*

4 "(jc) Indigent civil legal services PR A 1,762,740 2,291,490".

5 **3.** Page 357, line 6: before "received" insert "and less the amount specified in

6 s. 20.505 (1)(c)".

7 **4.** Page 358, line 12: delete that line.

8 (END)



MPL

**ASSEMBLY AMENDMENT 24,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 40**

~~Ins. No. 9~~

#9

June 14, 2011 - Offered by Representatives KESSLER, BEWLEY, HEBL, DOYLE, E. COGGS, HINTZ, SINICKI, ZEPNICK, YOUNG and ROYS.

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

2 **1.** Page 309, line 24: delete that line.

ins
MPG-1-10A

3 **2.** Page 310, line 1: delete lines 1 to 4.

4 **3.** Page 1279, line 4: delete lines 4 to 7.

5 **4.** Page 1281, line 18: delete the material beginning with that line and ending
6 with page 1284, line 22.

ins
MPG 2-10b

7 **5.** Page 1393, line 3: delete lines 3 to 10.

ins
MPG 7-10d

8 **6.** Page 1472, line 10: delete lines 10 to 21.

ins
MPG 2-11

9

(END)



ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 40

15

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

Ins
RPN-190

2 **1.** Page 272, line 3: after that line insert:

3 "(g) Gifts and grants PR C -0- -0-".

Ins
RPN
1-100

4 **2.** Page 368, line 23: after that line insert:

5 "SECTION 768d. 20.670 (1) (g) of the statutes is created to read:

6 20.670 (1) (g) *Gifts and grants*. All moneys received as gifts or grants to carry
7 out the purposes for which made."

8 (END)



**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 40**

#7.
#17

*Insert PJH (Item # 7)
(+ part of
item #17)*

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

*JAS
PH-
1-9 AM*

2 **1.** Page 246, line 5: increase the dollar amount for fiscal year 2011-12 by
3 \$254,340 and increase the dollar amount for fiscal year 2012-13 by \$254,340 for the
4 purpose of funding district attorney information technology.

*Inc
PH*

5 **2.** Page 357, line 6: before "received" insert "and less the amount indicated in
6 par. (kh)". *and in s. 20.505(1)(j)*

1-10 B8

7 **3.** Page 358, line 9: delete lines 9 to 11 and substitute "16.971 (9). Of each
8 \$21.50 received under s. 814.86 (1), \$7.50 shall be transferred from the appropriation
9 account under par. (id) 1, and credited to this appropriation account."



State of Wisconsin
2011 - 2012 LEGISLATURE

MPG



LRB11054
MPG:jld:jf

ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 40

~~Insert NO. 2~~

#2

ins MPG 2-10a

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 1217, line 14: delete the material beginning with that line and ending
- 3 with page 1218, line 14, and substitute:
- 4 **"SECTION 3003g.** 301.26 (4) (d) 2. of the statutes is amended to read:
- 5 301.26 (4) (d) 2. Beginning on January July 1, 2010 2011, and ending on June
- 6 30, 2010 2012, the per person daily cost assessment to counties shall be \$270 \$243
- 7 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), \$270
- 8 \$243 for care for juveniles transferred from a juvenile correctional institution under
- 9 s. 51.35 (3), \$298 \$268 for care in a residential care center for children and youth,
- 10 \$190 \$171 for care in a group home for children, \$72 \$65 for care in a foster home,
- 11 \$124 \$112 for care in a ~~treatment~~ higher level foster home under rules promulgated

↓

195 MPB 2-109

1 under s. 48.62 (8) (c), ~~\$101~~ as determined by the department, \$91 for departmental
2 corrective sanctions services, and ~~\$40~~ \$36 for departmental aftercare services.

3 **SECTION 3003r.** 301.26 (4) (d) 3. of the statutes is amended to read:

4 301.26 (4) (d) 3. Beginning on July 1, ~~2010~~ 2012, and ending on June 30, ~~2011~~
5 2013, the per person daily cost assessment to counties shall be ~~\$275~~ \$248 for care in
6 a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), ~~\$275~~ \$248 for care
7 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),
8 ~~\$313~~ \$282 for care in a residential care center for children and youth, ~~\$200~~ \$180 for
9 care in a group home for children, ~~\$75~~ \$68 for care in a foster home, ~~\$130~~ \$117 for
10 care in a ~~treatment~~ higher level foster home under rules promulgated under s. 48.62
11 (8) (c), ~~\$103~~ as determined by the department, \$93 for departmental corrective
12 sanctions services, and ~~\$41~~ \$37 for departmental aftercare services.”.

13 (END)

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB
.....

Las PH 1-9B

AMENDMENT INSERT PJH MILLER PACKAGE #5 ITEM 5

1. Page 253, line 18: increase the dollar amount for fiscal year 2011-12 by \$136,100 and increase the dollar amount for fiscal year 2012-13 by \$136,100 for the purpose of funding law enforcement grants.

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1405/PJHins
.....

#8.
PJM INSERT MILLER #5

ITEM 6:

1. Page 390, line 5: after that line insert:
2. Page 1371, line 20: after that line insert:
3. Page 1494, line 16: delete the material beginning with that line and ending with page 1496, line 1 and substitute:

ITEM 7: See attached insert

ITEM 8:

4. Page 1445, line : after that line insert:

“(4m) ASSISTANT DISTRICT ATTORNEY POSITIONS. The authorized FTE positions for assistant district attorneys, funded from the appropriation under s. 20.475 (1) (d), is increased by 50 GPR positions, to provide additional district attorney positions.”.

ITEM 17: See attached insert

ITEM 19:

5. Page 263, line 4: increase the dollar amount for fiscal year 2011-12 by \$3,500,000 for the purpose of funding a shortfall for the 2009-11 fiscal biennium.

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1405/PJHins

.....

19

PJH INSERT MILLER #5

ITEM 6:

1. Page 390, line 5: after that line insert:
2. Page 1371, line 20: after that line insert:
3. Page 1494, line 16: delete the material beginning with that line and ending with page 1496, line 1 and substitute:

ITEM 7: See attached insert

ITEM 8:

4. Page 1445, line : after that line insert:

“(4m) ASSISTANT DISTRICT ATTORNEY POSITIONS. The authorized FTE positions for assistant district attorneys, funded from the appropriation under s. 20.475 (1) (d), is increased by 50 GPR positions, to provide additional district attorney positions.”.

~~ITEM 17: See attached insert~~

ITEM 19:

5. Page 263, line 4: increase the dollar amount for fiscal year 2011-12 by \$3,500,000 for the purpose of funding a shortfall for the 2009-11 fiscal biennium.

Ins PH 1-9C

Hurley, Peggy

From: Bier, Beth
Sent: Thursday, June 16, 2011 4:32 PM
To: Hurley, Peggy
Subject: FW: Addition to Local Government/CP, etc.

Attachments: LRB b1065_1

From: Bier, Beth
Sent: Thursday, June 16, 2011 12:23 PM
To: Hanaman, Cathlene
Subject: Addition to Local Government/CP, etc.

Please include the following draft in the Local Government package. Sorry for the late addition.
Thanks,
Beth

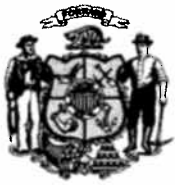
From: Barman, Mike
Sent: Monday, June 13, 2011 6:23 PM
To: Rep.Radcliffe
Subject: LRB 11b1065 Topic: Three-tier beer changes, exception for small brewers

The attached proposal has been jacketed for introduction.

A copy has also been sent to: aaron.gary@legis.wisconsin.gov



11b10651.pdf (48
KB)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBb1405/1
ALL:all:jf

2

SENATE AMENDMENT,
TO 2011 ASSEMBLY BILL 40

as shown by assembly
substitute amendment 1

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 4, line 4: delete lines 4 to 7.

3 **2.** Page 53, line 23: delete that line.

4 **3.** Page 77, line 23: delete that line.

5 **4.** Page 108, line 3: after that line insert:

6 “(br) Principal repayment and inter-

7 est; agricultural conservation

8 easements GPR S -0- -0-”.

9 **5.** Page 109, line 5: after that line insert:

10 “(tb) Principal and interest; agricul-

11 tural conservation easements,

12 working lands fund SEG S -0- -0-”.

1 bomb response teams, the Wisconsin statewide information center, and the division
2 of Wisconsin emergency management structural collapse rescue program.

3 **15.** Page 298, line 16: delete lines 16 and 17.

4 **16.** Page 309, line 24: delete that line.

5 **17.** Page 310, line 1: delete lines 1 to 4.

6 **18.** Page 351, line 2: after that line insert:

7 “SECTION 684h. 20.455 (2) (ag) of the statutes is created to read:

8 20.455 (2) (ag) *Wisconsin statewide information center*. The amounts in the
9 schedule to fund the Wisconsin statewide information center.”

10 **19.** Page 357, line 6: before “received” insert “, and less the amount indicated
11 in par. (kh) and in s. 20.505 (1) (jc),”.

12 **20.** Page 358, line 9: delete lines 9 to 12 and substitute “16.971 (9). Of each
13 \$21.50 received under s. 814.86 (1), \$7.50 shall be transferred from the appropriation
14 account under par. (id) 1. and credited to this appropriation account.”.

15 **21.** Page 359, line 20: after that line insert:

16 “SECTION 727h. 20.505 (6) (am) of the statutes is created to read:

17 20.505 (6) (am) *Regional special weapons and tactics*. The amounts in the
18 schedule to fund a regional special weapons and tactics and bomb response team.”.

19 **22.** Page 364, line 5: delete that line.

20 **23.** Page 368, line 23: after that line insert:

21 “SECTION 768d. 20.670 (1) (g) of the statutes is created to read:

22 20.670 (1) (g) *Gifts and grants*. All moneys received as gifts or grants to carry
23 out the purposes for which made.”.

1 **24.** Page 376, line 11: delete “~~, (br), and~~ (s), ~~and~~” and substitute “, (br), (s), and”.

2 **25.** Page 376, line 12: delete “~~(tb)~~” and substitute “(tb)”.

3 **26.** Page 384, line 6: delete that line.

4 **27.** Page 390, line 5: after that line insert:

5 “**SECTION 804v.** 20.923 (2) (b) of the statutes is amended to read:

6 20.923 (2) (b) The annual salary of each state senator, and representative to
7 the assembly, ~~justice of the supreme court, court of appeals judge and circuit judge~~
8 shall be reviewed and established in the same manner as provided for positions in
9 the classified service under s. 230.12 (3). ~~The salary established for the chief justice~~
10 ~~of the supreme court shall be different than the salaries established for the associate~~
11 ~~justices of the supreme court.~~

12 **SECTION 804x.** 20.923 (3) of the statutes is amended to read:

13 20.923 (3) JUSTICES AND JUDGES. The annual salary for any supreme court
14 justice or judge of the court of appeals or circuit court shall be established under sub.
15 ~~(2), except that any~~ reviewed and established in the same manner as provided for
16 positions in the classified service under s. 230.12 (3), but shall be based on
17 recommendations submitted to the joint committee on employment relations by the
18 judicial compensation commission under s. 757.84 (2). The compensation
19 adjustments granted under s. 230.12 shall not become effective until such time as
20 any justice or judge takes the oath of office. If the salary adjustment approved by the
21 joint committee on employment relations is less than the percentage increase of any
22 across-the-board pay adjustments for any other position in the classified service, the
23 annual salary adjustment for any supreme court justice or judge of the court of
24 appeals or circuit court is increased to equal the percentage increase of the highest

1 across-the-board pay adjustment provided for any position in the classified
2 service.”.

3 **28.** Page 407, line 7: delete lines 7 to 18.

4 **29.** Page 417, line 3: delete lines 3 to 7.

5 **30.** Page 652, line 1: delete lines 1 to 18.

6 **31.** Page 884, line 21: delete the material beginning with that line and ending
7 with page 885, line 2.

8 **32.** Page 886, line 23: delete the material beginning with that line and ending
9 with page 890, line 18.

10 **33.** Page 894, line 4: delete “~~and in subsequent years~~” and substitute “and in
11 subsequent years”.

12 **34.** Page 894, line 16: delete that line.

13 **35.** Page 929, line 4: delete the material beginning with that line and ending
14 with page 930, line 4.

15 **36.** Page 933, line 3: delete lines 3 to 9.

16 **37.** Page 975, line 9: in the material inserted by assembly amendment 1 to
17 assembly amendment 1, delete page 30, lines 15 to 17, and substitute:

18 “**SECTION 2407dg.** 111.70 (4) (c) 2. a. of the statutes, as affected by 2011
19 Wisconsin Act 10, is repealed and recreated to read:

20 111.70 (4) (c) 2. a. Parties to a dispute pertaining to the meaning”.

21 **38.** Page 975, line 9: in the material inserted by assembly amendment 1 to
22 assembly amendment 1, after page 30, line 21, insert:

23 “**SECTION 2407dL.** 111.70 (4) (c) 2. b. of the statutes is created to read:

1 111.70 (4) (c) 2. b. A collective bargaining agreement may, notwithstanding s.
2 62.13 (5), contain dispute resolution procedures, including arbitration, that address
3 the suspension, reduction in rank, suspension and reduction in rank, or removal of
4 such personnel. If the procedures include arbitration, the arbitration hearing shall
5 be public and the decision of the arbitrator shall be issued within 180 days of the
6 conclusion of the hearing.”.

Insert 6-77
8 **39.** Page 975, line 19: delete that line.

9 **40.** Page 1094, line 22: delete the material beginning with that line and
10 ending with page 1095, line 18.

11 **41.** Page 1095, line 23: delete the material beginning with that line and
12 ending with page 1102, line 14.

13 **42.** Page 1127, line 5: delete lines 5 to 25, as affected by assembly amendment
14 1 to assembly amendment 1.

15 **43.** Page 1128, line 1: delete lines 1 to 25, as affected by assembly amendment
16 1 to assembly amendment 1.

17 **44.** Page 1129, line 1: delete lines 1 to 25.

18 **45.** Page 1134, line 5: delete lines 5 to 9.

19 **46.** Page 1134, line 17: delete the material beginning with that line and
20 ending with page 1135, line 6.

21 **47.** Page 1137, line 10: delete lines 10 to 20.

22 **48.** Page 1217, line 14: delete the material beginning with that line and
23 ending with page 1218, line 14, and substitute:

“SECTION 3003g. 301.26 (4) (d) 2. of the statutes is amended to read:

1 301.26 (4) (d) 2. Beginning on ~~January~~ July 1, 2010 2011, and ending on June
2 30, ~~2010 2012~~, the per person daily cost assessment to counties shall be ~~\$270~~ \$243
3 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), ~~\$270~~
4 \$243 for care for juveniles transferred from a juvenile correctional institution under
5 s. 51.35 (3), ~~\$298~~ \$268 for care in a residential care center for children and youth,
6 ~~\$190~~ \$171 for care in a group home for children, ~~\$72~~ \$65 for care in a foster home,
7 ~~\$124~~ \$112 for care in a ~~treatment~~ higher level foster home under rules promulgated
8 under s. 48.62 (8) (c), ~~\$101~~ as determined by the department, ~~\$91~~ for departmental
9 corrective sanctions services, and ~~\$40~~ \$36 for departmental aftercare services.

10 **SECTION 3003r.** 301.26 (4) (d) 3. of the statutes is amended to read:

11 301.26 (4) (d) 3. Beginning on July 1, ~~2010 2012~~, and ending on June 30, ~~2011~~
12 2013, the per person daily cost assessment to counties shall be ~~\$275~~ \$248 for care in
13 a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), ~~\$275~~ \$248 for care
14 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),
15 ~~\$313~~ \$282 for care in a residential care center for children and youth, ~~\$200~~ \$180 for
16 care in a group home for children, ~~\$75~~ \$68 for care in a foster home, ~~\$130~~ \$117 for
17 care in a ~~treatment~~ higher level foster home under rules promulgated under s. 48.62
18 (8) (c), ~~\$103~~ as determined by the department, ~~\$93~~ for departmental corrective
19 sanctions services, and ~~\$41~~ \$37 for departmental aftercare services.”.

20 **49.** Page 1279, line 4: delete lines 4 to 7.

21 **50.** Page 1281, line 18: delete the material beginning with that line and
22 ending with page 1284, line 22.

23 **51.** Page 1371, line 20: after that line insert:

24 **“SECTION 3475r.** 757.84 of the statutes is created to read:

1 **757.84 Judicial compensation commission.** (1) There is created a judicial
2 compensation commission consisting of 2 members appointed by the governor, one
3 member appointed by the president of the senate, one member appointed by the
4 speaker of the assembly, one member appointed by the dean of the Marquette
5 University Law School, one member appointed by the dean of the University of
6 Wisconsin Law School, and one member appointed by the president of the State Bar
7 of Wisconsin. The judicial compensation commission shall elect one of its members
8 as chairperson. Members of the judicial compensation commission shall be
9 reimbursed for expenses necessarily incurred as members of the judicial
10 compensation commission.

11 (2) The judicial compensation commission shall review the salaries of the
12 justices of the supreme court, court of appeals judges, and judges of circuit court. Not
13 later than December 1 of each even-numbered year the judicial compensation
14 commission shall submit a written report to the governor and the joint committee on
15 employment relations that includes recommendations on salaries of the justices of
16 the supreme court, court of appeals judges, and judges of circuit court.

17 (3) Notwithstanding section 20.923 (2) (b) of the statutes, the joint committee
18 on employment relations shall review the recommendations submitted by the
19 judicial compensation commission and shall approve the recommendations unless a
20 majority of its members agree not to approve the recommendations. If a majority of
21 members of the judicial compensation commission agree to modify the
22 recommendations submitted by the judicial compensation commission, it shall state
23 the reasons for the modifications in writing.

24 (4) Notwithstanding section 20.923 (2) (b) of the statutes, the governor shall
25 provide funding sufficient to implement the recommendations submitted by the

1 judicial compensation commission and approved by the joint committee on
2 employment relations under paragraph (c). If the salary adjustment approved by the
3 joint committee on employment relations is less than the percentage increase of any
4 across-the-board pay adjustments for any other position in the classified service, the
5 annual salary adjustment for any supreme court justice or judge of the court of
6 appeals or circuit court is increased to equal the percentage increase of the highest
7 across-the-board pay adjustment provided for any position in the classified service.

8 (5) The director of state courts shall provide staff and support services to the
9 judicial compensation commission.”.

10 **52.** Page 1393, line 3: delete lines 3 to 10.

11 **53.** Page 1402, line 14: after that line insert:

12 “(2g) EMERGENCY RESPONSE FUNDING. The office of justice assistance in the
13 department of administration shall submit to the joint committee on finance for the
14 approval of that committee under section 13.10 of the statutes a plan to utilize
15 \$2,051,800 in fiscal year 2012-13 to fund the regional special weapons and tactics
16 and bomb response teams, the Wisconsin statewide information center, and the
17 department of military affairs division of Wisconsin emergency management
18 structural collapse rescue program. The office of justice assistance shall include in
19 its request a statement on the impact of federal budget reductions to the homeland
20 security programs and shall include information on its planned expenditures of
21 federal homeland security formula grants for fiscal year 2012-13. The office of
22 justice assistance may not fund regional special weapons and tactics and bomb
23 response teams, the Wisconsin statewide information center, or the department of

1 military affairs division of Wisconsin emergency management structural collapse
2 rescue program from homeland security formula grants.”.

3 **54.** Page 1406, line 11: delete lines 11 to 14.

4 **55.** Page 1445, line 5: after that line insert:

5 “(4f) ASSISTANT DISTRICT ATTORNEY POSITIONS. The authorized FTE positions for
6 assistant district attorneys, funded from the appropriation under s. 20.475 (1) (d),
7 is increased by 50 GPR positions, to provide additional district attorney positions.”.

8 **56.** Page 1472, line 10: delete lines 10 to 21.

9 **57.** Page 1494, line 16: delete the material beginning with that line and
10 ending with page 1496, line 1, and substitute:

11 “(1f) JUDICIAL COMPENSATION COMMISSION. Notwithstanding the length of terms
12 of the members of the judicial compensation commission specified in section 757.84
13 (1) of the statutes, as created by this act, the initial members shall be appointed for
14 the following terms:

15 (a) One member appointed by the governor, for a term expiring on March 1,
16 2013.

17 (b) One member appointed by the governor, for a term expiring on March 1,
18 2015.

19 (c) The member appointed by the president of the senate, for a term expiring
20 on March 1, 2013.

21 (d) The member appointed by the speaker of the assembly, for a term expiring
22 on March 1, 2013.

23 (e) The member appointed by the dean of the Marquette University Law School,
24 for a term expiring on March 1, 2015.

1 (f) The member appointed by the dean of the University of Wisconsin Law
2 School, for a term expiring on March 1, 2015.

3 (g) The member appointed by the dean of the president of the State Bar of
4 Wisconsin, for a term expiring on March 1, 2015.”

5 **58.** Page 1511, line 15: delete lines 15 to 25.

6 **59.** Page 1514, line 2: delete the material beginning with “and (mc)” and
7 ending with “and 3.” on line 3.

8 **60.** Page 1517, line 7: delete “(2d) and”.

9 **61.** Page 1517, line 8: delete “(4), and”.

10 **62.** Page 1517, line 9: delete “(5), 79.043” and substitute “79.043”.

11 (END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBb1378/1
ARC:nwn:rs

SENATE AMENDMENT ,
TO 2011 ASSEMBLY BILL 40

INSERT
whole draft
as insert
6-7

1 At the locations indicated, amend the bill, as shown by assembly substitute
2 amendment 1, as follows:

- 3 1. Page 1065, line 19: delete lines 19 to 22.
- 4 2. Page 1067, line 9: delete lines 9 to 21.
- 5 3. Page 1067, line 24: delete "~~Except as provided in s. 125.29,~~" and substitute
6 "Except as provided in s. 125.29,".
- 7 4. Page 1067, line 24: delete "~~a~~" and substitute "a".
- 8 5. Page 1067, line 25: delete "A".
- 9 6. Page 1071, line 7: after that line insert:
10 "**SECTION 2604en.** 125.28 (2) (f) of the statutes is created to read:
11 125.28 (2) (f) Paragraphs (b) 1. b., c., and f. and 2. and (d) do not apply to a
12 brewer that manufactures less than 300,000 barrels of fermented malt beverages in

1 a calendar year from all locations. Such a brewer may hold a wholesaler's permit in
2 the same manner that it was authorized to hold a wholesaler's license under ss.
3 125.28 and 125.29 (4), 2009 stats.”.

4 **7.** Page 1073, line 9: after that line insert:

5 “(f) This subsection does not apply to a brewer that manufactures less than
6 300,000 barrels of fermented malt beverages in a calendar year from all locations.”.

7 **8.** Page 1076, line 25: after that line insert:

8 “**SECTION 2604en.** 125.29 (7) of the statutes is created to read:

9 125.29 **(7)** SMALL BREWERS. (a) In this subsection, “small brewer” means a
10 brewer that manufactures less than 300,000 barrels of fermented malt beverages in
11 a calendar year from all locations.

12 (b) Subsections (2), (3), (3m), and (6) do not apply to a small brewer. Instead,
13 the provisions of this subsection and s. 125.31 apply to a small brewer.

14 (c) Except as provided in s. 125.31, no person that holds a Class “B” license or
15 permit issued under this chapter and that is a small brewer may register as a brewer.

16 (d) Subject to s. 125.34 (2), a small brewer may manufacture, possess, and store
17 fermented malt beverages on the brewery premises and transport fermented malt
18 beverages between the brewery premises and any depot or warehouse maintained
19 by the brewer for which the brewer has a wholesaler's permit issued under s. 125.28.
20 A brewer or individual representing a brewer may also provide taste samples as
21 authorized under s. 125.33 (12).

22 (e) A small brewer may hold a wholesaler's permit issued under s. 125.28 and
23 a Class “B” license as provided under s. 125.31. The small brewer may hold the

1 wholesaler's permit in the same manner that it was authorized to hold a wholesaler's
2 license under ss. 125.28 and 125.29 (4), 2009 stats.

3 (f) No small brewer issued a permit under this section after November 25, 2007,
4 may hold a restaurant permit issued under s. 254.64.”.

5 **9.** Page 1077, line 5: delete “s. ~~125.34 (6) (e) sub. (4)~~” and substitute “sub. (4)
6 and s. 125.34 (6) (c)”.

7 **10.** Page 1078, line 13: delete that line and substitute:

8 “**SECTION 2604gdc.** 125.31 (title) of the statutes is amended to read:

9 **125.31 (title) Multiple licenses and permits; small brewers.**

10 **SECTION 2604gde.** 125.31 (1) (a) of the statutes is renumbered 125.31 (1) (am)
11 and amended to read:

12 125.31 (1) (am) 2. Notwithstanding ss. 125.29 ~~(2) (7) (c)~~ and 125.33 (1), a small
13 brewer may maintain and operate one place on brewery premises, and another place,
14 for the sale of fermented malt beverages for which a Class “B” license is required for
15 each place, but, except as provided in subd. 4., not more than 2 such Class “B”
16 licenses shall be issued to any small brewer.

17 4. Notwithstanding ss. 125.29 ~~(2) (7) (c)~~ and 125.33 (1), in addition to places
18 authorized under subd. 2., a small brewer may possess or hold an indirect interest
19 in a Class “B” license for not more than 20 restaurants in each of which the sale of
20 alcohol beverages accounts for less than 60% of the restaurant's gross receipts if no
21 fermented malt beverages manufactured by the small brewer are offered for sale in
22 any of these restaurants.

23 **SECTION 2604gdh.** 125.31 (1) (ac) of the statutes is created to read:

1 125.31 (1) (ac) In this section, “small brewer” means a brewer that
2 manufactures less than 300,000 barrels of fermented malt beverages in a calendar
3 year from all locations.

4 **SECTION 2604gdj.** 125.31 (1) (b), (c) and (d) and (2) and (3) of the statutes are
5 amended to read:

6 125.31 (1) (b) Notwithstanding ss. 125.29 ~~(2)~~ (7) (c) and 125.33 (1), a small
7 brewer may own, maintain or operate places for the sale of fermented malt beverages
8 at the state fair park or on any county fairgrounds located in this state, in addition
9 to places authorized under par. ~~(a)~~ (am).

10 (c) Any Class “B” license necessary in connection with this subsection shall be
11 issued to the small brewer.

12 (d) Notwithstanding s. 125.33 (1), a small brewer may own the furniture,
13 fixtures, fittings, furnishings and equipment on such premises and shall pay any
14 license fee or tax required for the operation of the premises.

15 **(2)** Subject to s. 125.34, a small brewer may own, maintain or operate depots
16 and warehouses from which sales of fermented malt beverages, not for consumption
17 in or about the premises where sold, may be made in original packages to retailers
18 and wholesalers. A separate wholesaler’s license is required for each depot or
19 warehouse owned, maintained or operated.

20 **(3)** Subject to ss. 125.29 ~~(4)~~ (7) (e) and 125.34, a brewer may sell fermented malt
21 beverages in the original packages or containers, not to be consumed on the premises
22 where sold:

23 (a) To retailers and wholesalers, if the brewer obtains a wholesaler’s ~~license~~
24 permit; or

1 (b) To persons other than licensees and permittees, if the small brewer obtains
2 a Class “A” or Class “B” license.”.

3 **11.** Page 1078, line 22: delete the material beginning with that line and
4 ending with page 1079, line 6.

5 **12.** Page 1080, line 24: delete “~~who holds a retail license issued under this~~
6 ~~chapter~~” and substitute “~~who~~ that holds a retail license issued under this chapter or
7 that is”.

8 **13.** Page 1081, line 13: delete the material beginning with that line and
9 ending with page 1082, line 4.

10 **14.** Page 1082, line 14: after that line insert:

11 “**SECTION 2604hf.** 125.34 (1) (fm) of the statutes is created to read:

12 125.34 (1) (fm) “Small brewer” means a brewer that manufactures less than
13 300,000 barrels of fermented malt beverages in a calendar year from all locations.”.

14 **15.** Page 1082, line 21: delete “~~sub. (6) (b) and~~” and substitute “sub. (6) (b)
15 and”.

16 **16.** Page 1083, line 2: delete “~~and~~” and substitute “and”.

17 **17.** Page 1083, line 3: delete that line and substitute “shall be a physically
18 separate location from any retail premises or brewery premises.”.

19 **18.** Page 1083, line 9: delete that line and substitute:

20 “**SECTION 2604hn.** 125.34 (2) (bg), (bm) and (c) of the statutes are amended to
21 read:

22 125.34 (2) (bg) Notwithstanding par. (a), a small brewer that, together with its
23 brewer group, manufactures not more than 50,000 barrels of fermented malt

1 beverages in a calendar year in any location may be issued a wholesaler's ~~license~~
2 permit for wholesale premises located on brewery premises.

3 (bm) Notwithstanding par. (a), a small brewer that, together with its brewer
4 group, manufactures more than 50,000 barrels of fermented malt beverages in a
5 calendar year in any location may be issued a wholesaler's ~~license~~ permit for
6 wholesale premises located on brewery premises but may not sell or ship more than
7 a total of 1,000 barrels of fermented malt beverages in any calendar year to retailers
8 from these wholesale premises. Fermented malt beverages provided by a small
9 brewer to any retail premises for which the small brewer holds the retail license shall
10 not be included in any calculation of the 1,000 barrel limitation under this
11 paragraph.

12 (c)1. Except as provided in par. (bm) and notwithstanding par. (a), a small
13 brewer may be issued a wholesaler's license for wholesale premises located on
14 brewery premises if, from these wholesale premises, the small brewer sells or ships
15 fermented malt beverages only to other wholesalers.

16 2. Notwithstanding subd. 1., a small brewer issued a wholesaler's ~~license~~
17 permit under subd. 1. may, from the wholesale premises located on brewery
18 premises, sell or ship any brand of fermented malt beverages to retailers located in
19 a designated sales territory for the brand if the wholesaler to which the small brewer
20 has granted distribution rights for the brand in this designated sales territory is
21 unable to service the designated sales territory for any reason, including because of
22 discontinuance of the wholesaler's distribution rights. A small brewer may sell or
23 ship fermented malt beverages to retailers under this subdivision for not more than
24 12 months after the wholesaler becomes unable to service the wholesaler's
25 designated sales territory.".

1 **19.** Page 1083, line 10: delete lines 10 to 18 and substitute:

2 “**SECTION 2604hp.** 125.34 (3) (a) 3. of the statutes is amended to read:

3 125.34 **(3)** (a) 3. If the wholesaler and ~~the brewer or out-of-state shipper~~ a
4 small brewer specified in subd. 1. are the same person, in lieu of the written
5 agreement specified in subd. 1., the wholesaler and small brewer ~~or out-of-state~~
6 ~~shipper~~ shall maintain in writing the information specified in subd. 1. and the
7 wholesaler and small brewer ~~or out-of-state shipper~~ are, in this writing, subject to
8 the restriction specified in subd. 2.”.

9 **20.** Page 1083, line 19: delete the material beginning with that line and
10 ending with page 1084, line 6, and substitute:

11 “**SECTION 2604ht.** 125.34 (4) (a) of the statutes is amended to read:

12 125.34 **(4)** (a) Any retailer located outside the wholesaler’s designated sales
13 territory for the brand. This paragraph does not apply if another wholesaler that has
14 been granted distribution rights for the brand in the designated sales territory where
15 the sale, transportation, or delivery occurs is unable to service this designated sales
16 territory and the brewer, brewpub, or out-of-state shipper granting distribution
17 rights has, notwithstanding sub. (3) (a), given consent for the sale, transportation,
18 or delivery, which consent shall be limited to the time period that another wholesaler
19 is unable to service this designated sales territory. This paragraph does not apply if
20 the wholesaler is also a small brewer and another wholesaler to whom this small
21 brewer has granted distribution rights for the brand in the designated sales territory
22 where the sale, transportation, or delivery occurs has, notwithstanding sub. (3) (a),
23 given consent for the sale, transportation, or delivery or refused to service this
24 territory.”.

