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☛ Miscellaneous committee information and correspondence

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2011-12

(session year)

Joint

(Assembly, Senate or Joint)

Survey Committee on Tax Exemptions...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**



**WISCONSIN LEGISLATIVE COUNCIL
STAFF MEMORANDUM**

TO: SENATOR RANDY HOPPER AND REPRESENTATIVE DAN KNODL, CO-CHAIRS,
JOINT SURVEY COMMITTEE ON TAX EXEMPTIONS

FROM: ^{CG} Scott Grosz, Staff Attorney

RE: Composition, Officers, Powers and Duties of the Joint Survey Committee on Tax
Exemptions and Suggested Procedures for Committee Activities

DATE: February 28, 2011

The purpose of this memorandum is to present certain information which hopefully will be helpful to you as Co-Chairs of the Joint Survey Committee on Tax Exemptions. The memorandum first discusses the composition, officers, powers and duties of the Joint Survey Committee on Tax Exemptions, hereafter referred to as "JSCTE." The memorandum then suggests, for your consideration, procedures which might be followed by the JSCTE.

A. MEMBERSHIP, OFFICERS, POWERS AND DUTIES OF THE JSCTE

The JSCTE, which was created in 1963, is a permanent statutory committee of the Legislature. [s. 13.52, Stats.] Section 13.52 specifies the composition, officers, powers and duties of the committee and, as will be discussed below, specifies certain rules and procedures for the JSCTE which are not applicable to other committees of the Wisconsin Legislature.

1. Membership and Officers of JSCTE

The committee is composed of nine members, as follows:

- a. Two majority party Senators and one minority party Senator, selected as are the members of standing committees of the Senate.
- b. Two majority party Representatives to the Assembly and one minority party Representative to the Assembly, selected as are the members of standing committees of the Assembly.
- c. A representative of the Department of Justice (DOJ), selected by the Attorney General.
- d. The Secretary of Revenue (DOR) or his or her designated representative.

- e. One public member, selected by the Governor by January 15 of each odd-numbered year, who is familiar with the tax problems of subordinate levels of government throughout the state.

By statute, the terms of all members of the JSCTE expire on January 15 of each odd-numbered year, although each member serves until his or her successor is appointed and qualified. Any member ceases to be a member upon losing the status upon which his or her appointment is based. Vacancies on the committee are filled as are original appointments.

The *officers* of the JSCTE are a Senate Chair and Vice-Chair, an Assembly Chair and Vice-Chair and a Secretary. Both the Senate officers and the Assembly officers are selected as are chairs of committees of their respective houses. Joint Rule 22* of the Senate and Assembly provides that meetings of joint committees are chaired by the cochair from the house which referred the business then before the joint committee. By statute, the Secretary of the committee is elected by the committee from among its *non-legislator* members.

2. Powers and Duties of JSCTE

By statute, "any proposal which affects any existing statute or creates any new statute *relating to the exemption of any property or person from any state or local taxes* or special assessments shall, *upon introduction, at once* be referred to the joint survey committee on tax exemptions by the presiding officer instead of to a standing committee." [Emphasis added.] Any proposal referred to JSCTE may *not* be considered further by either house until JSCTE has submitted a report, in writing, setting forth an opinion on: (a) the *legality* of the proposal; (b) the *fiscal effect* of the proposal upon the state and its subdivisions; and (c) the proposal's desirability as a matter of *public policy*. Such report is printed as an appendix to the bill. [s. 13.52 (6), Stats.]

Under s. 16.47, Stats., the Executive Budget Bill is required to be immediately referred to the Joint Finance Committee after it is introduced. However, if the Executive Budget Bill contains a provision providing a tax exemption, the bill must be simultaneously referred to the JSCTE and the Joint Finance Committee. [s. 13.093 (2) (b), Stats.] The report of the JSCTE shall be prepared within 60 days of introduction of the Executive Budget Bill.

Under the Assembly Rules, the presiding officer or speaker may refer any bill simultaneously to the Joint Finance Committee and to the appropriate joint survey committee, including the JSCTE. In addition, the Assembly Rules provide that the presiding officer or speaker may refer any bill that requires referral to one or more joint survey committees simultaneously to several or all of the joint survey committees and to an Assembly committee. Finally, the Assembly Rules provide that the speaker or presiding officer may refer any bill that pertains only incidentally to a matter of concern to a joint survey committee directly to the committee appropriate to the major substance of the bill, and in that case shall direct the appropriate joint survey committee to prepare its report on the bill while that bill is in the possession of the other committee. However, the report of the appropriate joint survey

* All references herein to legislative rules are to the rules of the 2011-12 Legislature.

committee must still be received before the bill is given its second reading. [See Assembly Rule 42 (1) (am), (b) and (c).]

Senate Rule 36 provides that any bill that pertains only incidentally to a matter of concern to a joint survey committee may be referred directly to the committee appropriate to the major substance of that bill and the joint survey committee shall be directed to prepare its report on the bill while it is in possession of the other committee. Senate Rule 36 also provides that the report of the joint survey committee must be received before the bill is given its second reading.

3. Special Rule Applicable to JSCTE

There is an important difference between the JSCTE and standing committees of either the Senate or the Assembly. Section 13.52 (4), Stats., requires that *all actions of the JSCTE require the approval of a majority of all the members*. In contrast, actions of standing committees of the Senate and Assembly generally require only the approval of a majority of a *quorum*.

4. Types of Bills That Must Be Referred to JSCTE

In the past, there have been differences of opinion concerning what types of bills must be referred to the JSCTE. As noted above, s. 13.52 (6), Stats., requires referral to the JSCTE of any proposal which affects any existing statute or creates any new statute relating to the *exemption* of any property or person from any state or local taxes or special assessments. Questions have arisen concerning whether proposals which would *repeal* an existing tax exemption must be referred to JSCTE. In light of the statutorily expressed purpose of the committee, which is to review each legislative proposal "which would modify existing laws or create new laws relating to the exemption of property or persons from any state or local taxes," it would appear that proposals repealing any existing tax exemption would be within the jurisdiction of the committee.

Questions have also arisen concerning whether proposals which would provide, affect or repeal a *tax credit* must be referred to the JSCTE. A tax credit is an amount which is subtracted *directly* from the taxpayers' gross tax *liability* (i.e., the amount determined by applying the Wisconsin tax rates to Wisconsin taxable income). By contrast, a tax *exemption* is subtracted from the amount which is *subject* to taxation (i.e., the amount to which the tax rates are applied to determine the gross tax liability).

B. SUGGESTED PROCEDURES FOR THE JSCTE

Procedures for setting up and carrying out *public hearings* of the JSCTE are most easily handled in a manner similar to that used for public hearings of standing committees. However, procedures for *executive sessions* of the JSCTE necessarily differ from procedures for executive sessions of standing committees because the function of a JSCTE executive session is to vote on a *report* rather than a bill or a joint resolution. Following the requirements of s. 13.52, discussed above, a JSCTE report consists of the following four segments:

1. **General Nature of Proposal.** This section of the report describes the effect of the proposal and is prepared by the Legislative Council Staff.

2. **Legality Involved.** This section of the report discusses any constitutional issues relevant to the proposal. In addition, this section of the report describes conflicts, if any, between the proposal under consideration and any other provisions of state law. This section is prepared by the Legislative Council Staff.
3. **Fiscal Effect.** This section of the report describes what would be the fiscal effect of the proposal upon state and local governments and is prepared by the Department of Revenue (DOR) or other state agencies in the fiscal note to the bill.
4. **Public Policy Involved.** This section of the report contains a statement by the committee as to whether the bill is, or is not, good public policy as determined by the committee (by adoption of a motion).

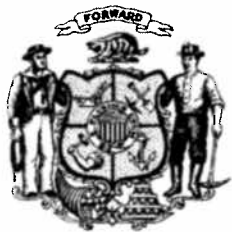
Typically, when the committee meets in executive session, it has before it a "Preliminary Report" which contains all segments of the "Final Report" *except* the "public policy involved" segment. The committee reviews the Preliminary Report and then may vote to complete the report by making a recommendation on the public policy involved. If the committee agrees on a public policy recommendation (recall that action by JSCTE requires an affirmative vote of five members of the committee, regardless of the number of members present), the recommendation is added to the Preliminary Report and becomes the Final Report of the committee.

The following are *suggested procedures* which you might consider using for the JSCTE:

1. Notices of public hearings and executive sessions of the JSCTE are prepared and distributed by the JSCTE clerks in the same manner as are notices of other standing committees.
2. When the Co-Chairs of JSCTE decide on a specific date, time and place to consider one or more bills, Scott Grosz, Staff Attorney, Legislative Council staff (266-1307), is notified of this and is given a list of the proposals to be considered at executive session. Mr. Grosz then, if time permits, completes the Preliminary Report on each bill for the executive session.
3. Kelly Mautz, Senior Administrative Assistant, Legislative Council staff, will, if time permits, send completed copies of the Preliminary Report to all committee members and, in addition, will send copies of the bills to be considered at the executive session to the public member and the state agency members of the committee if they have not received copies of these bills previously.
4. After the executive session, Mr. Grosz will prepare any Final Reports adopted by the committee and give copies of the reports to the Co-Chairs. Ms. Mautz will send copies of the Final Reports to the state agency members and the public member. [For legislative members, the Final Report is printed as an appendix to the bill.]



WISCONSIN STATE LEGISLATURE





STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

J.B. VAN HOLLEN
ATTORNEY GENERAL

Kevin M. St. John
Deputy Attorney General

Steven P. Means
Executive Assistant

114 East, State Capitol
P.O. Box 7857
Madison, WI 53707-7857
608/266-1221
TTY 1-800-947-3529

June 2, 2011

Representative Daniel Knodl, Co-Chair
Joint Survey Committee on Tax Exemptions
218 North, State Capitol
Madison, Wisconsin 53708

Senator Randy Hopper, Co-Chair
Joint Survey Committee on Tax Exemptions
310 South, State Capitol
Madison, Wisconsin 53707

Dear Representative Knodl and Senator Hopper:

I am pleased to inform you that I am appointing Steven P. Means, Executive Assistant, as my designee to the Joint Survey Committee on Tax Exemptions. Mr. Means will replace Kevin St. John, who now serves as Deputy Attorney General.

If I can be of any assistance to you or the Committee, please don't hesitate to contact my office.

Sincerely,

J.B. Van Hollen
Attorney General

JBVD:ded

cc: Steven P. Means, Executive Assistant
Kevin St. John, Deputy Attorney General



STATE OF WISCONSIN
LEGISLATIVE COUNCIL STAFF

SCOTT GROSZ
STAFF ATTORNEY

ONE EAST MAIN ST., SUITE 401
MAILING ADDRESS: P.O. BOX 2536
MADISON, WI 53701-2536

(608) 266-1307
FAX: (608) 266-3830
scott.grosz@legis.state.wi.us



MEMORANDUM

TO: Senator Hopper, Chair, Joint Survey Committee on Tax Exemptions

FR: Andrew Evenson, Clerk

RE: Agenda for Executive Session Tuesday, June 7, 2011

Tuesday, June 7th, 2011

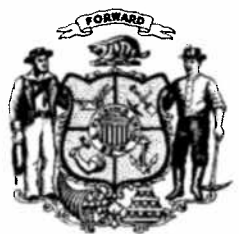
2:00 PM

400 Southeast

- Good afternoon, I'd like to call the Joint Survey Committee on Tax Exemptions to order.
- Tap Gavel
- The first order of business is for the clerk to call the roll. (look at me)
- The purpose of our committee meeting today is to vote on the reports related to companion bills Senate Bill 27 and Assembly Bill 40.
- Note that everyone should have received a copy of the preliminary report of the committee and ask if there are any questions. Questions may be referred to Legislative Council attorney Scott Grosz.
- Is there a motion on the report for Senate Bill 27 and AB 40? Second?
- Any discussion, if not clerk call the roll.
- You will then adjourn the committee.



WISCONSIN STATE LEGISLATURE





KEITH RIPP

47TH ASSEMBLY DISTRICT

June 20, 2011

State Senator Randy Hopper
Co-Chair, Joint Survey Committee on Tax Exemption
Room 310 South, State Capitol
Madison, WI 53708

State Representative Daniel Knodl
Co-Chair, Joint Survey Committee on Tax Exemption
Room 218 North, State Capitol
Madison, WI 53708

Dear Senator Hopper and Representative Knodl:

I want to thank both of you for your commitment to this state and for serving on this committee. As you may know Assembly Bill 128: relating to the amount of the exemption from income tax withholding requirements for employees of a county fair association, was referred to the Joint Survey Committee on Tax Exemptions on June 10th. The Senate version, Senate Bill 89, was referred to the Public Health, Human, Services, and Revenue committee on June 9th and was passed out of committee unanimously 5-0.

I am writing to ask for the Joint Survey Committee on Tax Exemption to issue a report on both Assembly Bill 128 and Senate Bill 89 in anticipation that both could be referred to your committee and that they could be debated by the entire legislature soon.

I want to thank you for your attention to this matter and am looking forward to your response. If you have any questions please feel free to contact me at 608-266-3404.

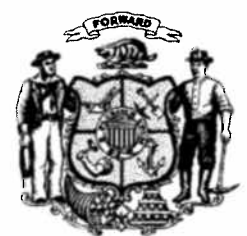
Sincerely,

Keith Ripp
Wisconsin State Representative
47th Assembly District

CC: State Senator Neal Kedzie



WISCONSIN STATE LEGISLATURE





Michael G. Ellis
SENATE PRESIDENT

WISCONSIN STATE SENATE

August 2, 2011

Senator Randy Hopper, Co-chair
Joint Survey Committee on Tax Exemptions
310 South, State Capitol

Representative Dan Knodl, Co-chair
Joint Survey Committee on Tax Exemptions
218 North, State Capitol

Dear Senator Hopper & Representative Knodl:

Pursuant to Senate Rule 36(2)(c) and section 13.52(6), Wisconsin Statutes, the Co-chairs of the Joint Committee on Tax Exemptions shall prepare and submit a report in writing on Senate Bill 160, relating to federalizing the treatment of capital losses.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael G. Ellis", with a long horizontal flourish extending to the right.

MICHAEL G. ELLIS
Senate President

cc Robert Marchant
Senate Chief Clerk





Michael G. Ellis

SENATE PRESIDENT

WISCONSIN STATE SENATE

August 2, 2011

Senator Randy Hopper, Co-chair
Joint Survey Committee on Tax Exemptions
310 South, State Capitol

Representative Dan Knodl, Co-chair
Joint Survey Committee on Tax Exemptions
218 North, State Capitol

Dear Senator Hopper & Representative Knodl:

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Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael G. Ellis".

MICHAEL G. ELLIS
Senate President

cc Robert Marchant
Senate Chief Clerk





Michael G. Ellis
SENATE PRESIDENT

WISCONSIN STATE SENATE

October 6, 2011

✓ Senator Frank Lasee, Co-chair
Joint Survey Committee on Tax Exemptions
Room 316 South, State Capitol

Representative Dan Knodl, Co-chair
Joint Survey Committee on Tax Exemptions
Room 218 North, State Capitol

Dear Senator Lasee and Representative Knodl,

Pursuant to Senate Rule 36(2)(c) and section 13.52(6), Wisconsin Statutes, the Co-Chairs of the Joint Survey Committee on Tax Exemptions shall prepare and submit a report in writing on **Senate Bill 89**, relating to the amount of the exemption from income tax withholding requirements for employees of a county fair association.

Thank you for your attention to this matter.

Sincerely,

Senator Mike Ellis
Senate President

Cc: Senate Chief Clerk

*on these all
Bills check
with author
that they
or staff
will be there
before schedule*

13.489 LEGISLATIVE BRANCH

of transportation shall submit a report to the commission that does all of the following:

1. Summarizes the current status of each project submitted by the department that is under consideration by the commission under s. 13.489, including any project approved by the commission under sub. (1m) (d), and of each project enumerated under s. 84.013 (3) or approved under s. 84.013 (6).

2. For each project specified under subd. 1., identifies all actual and estimated project costs, itemized by major cost categories, as of the date of preparation of the report. To the extent feasible, the department shall separately track and report the costs of environmental assessments, compliance, and mitigation.

(b) All project information included in any report required under par. (a) shall be reported on both a cumulative basis from the inception of the project and on an updated basis for the period since the department's last report under this subsection.

(c) With the report submitted under par. (a), by February 1 of each year, the department of transportation shall include a current project schedule for all projects enumerated under s. 84.013 (3) or approved under s. 84.013 (6), showing the annual funding required until completion for each project.

(6) DEPARTMENT TO MAKE INFORMATION AVAILABLE. Notwithstanding s. 19.35, the department of transportation shall make all of the following information available to the public, including making the information available at no charge on the department's Internet site, within the following time periods:

(a) Any report prepared by the department for the commission under sub. (5) shall be available within 5 business days of the report's completion and transmittal to the commission.

(b) Any materials or documents prepared by the department, except the department's recommendations, for use at a meeting of the commission shall be available at least 2 business days prior to the meeting.

(c) Any other information directed by the commission to be made available by the department under this subsection shall be available within the time specified by the commission.

History: 1983 a. 27; 1985 a. 2; 1985 a. 29 ss. 27 to 29, 3202 (51); 1987 a. 27; 1993 a. 16; 1997 a. 27, 86; 1999 a. 9; 2003 a. 217; 2007 a. 20.

13.50 Joint survey committee on retirement systems.

(1) CREATION. There is created a joint survey committee on retirement systems composed of 10 members, as follows:

(a) Two majority party senators, one minority party senator, 2 majority party representatives to the assembly and one minority party representative to the assembly, appointed as are the members of standing committees in their respective houses.

(b) An assistant attorney general to be appointed by the attorney general.

(c) A member of the public who is not a participant in any public retirement system in this state, to be selected by the governor. It is the intent of the legislature that the member appointed under this paragraph shall represent the interests of the taxpayers of this state and shall not be representative of public employee or employer interests.

(d) The commissioner of insurance or an experienced actuary in the commissioner's office designated by the commissioner.

(e) The secretary of employee trust funds or his or her designee.

(1m) OFFICERS. The officers of this committee shall be a senate cochairperson and vice cochairperson, and an assembly cochairperson and vice cochairperson selected as are the officers of standing committees in their respective houses, and a secretary elected by the committee from among its nonlegislator members.

(2) TERMS OF COMMITTEE. Each appointment under sub. (1) (a), (b) and (c) shall be for a period of 4 years and until a successor is appointed and qualified. Any member shall cease to be a member of the committee upon losing the status upon which the appointment was based.

(3) MEMBERSHIP COMPATIBLE WITH OTHER PUBLIC OFFICE. Membership on the committee shall not be incompatible with any other public office.

(4) STAFF. The legislative council staff shall provide staff to assist the committee in the performance of its functions. The committee may contract for actuarial assistance outside the classified service.

(5) COMMITTEE ACTION. All actions of the committee shall require the approval of a majority of all the members.

(6) POWERS AND DUTIES. The committee shall have the following powers and duties:

(a) No bill or amendment thereto creating or modifying any system for, or making any provision for, the retirement of or payment of pensions to public officers or employees, shall be acted upon by the legislature until it has been referred to the joint survey committee on retirement systems and such committee has submitted a written report on the bill or amendment. Such report shall pertain to the probable costs involved, the effect on the actuarial soundness of the retirement system and the desirability of such proposal as a matter of public policy.

(am) The cochairpersons of the joint survey committee on retirement systems or the cochairpersons of the joint committee on finance, with respect to any bill or amendment specified in par. (a), or the presiding officer of either house of the legislature, with respect to any bill or amendment specified in par. (a) that is pending in his or her house, may make a determination, based on any available information, that the bill or amendment may have a significant fiscal impact on the costs, actuarial balance or goals of the Wisconsin Retirement System and order the attachment of an independent actuarial opinion on such impact. The cochairpersons or presiding officer ordering such an opinion shall direct the staff under sub. (4) to obtain the opinion. The staff shall make payment for the opinion from the appropriation under s. 20.765 (3) (ec).

(b) No bill or amendment thereto creating or modifying any system for the retirement of public employees shall be considered by either house until the written report required by par. (a) and the actuarial opinion ordered under par. (am), if any, have been submitted to the chief clerk. Each such bill or amendment shall then be referred to a standing committee of the house in which introduced. The report of the joint survey committee and actuarial opinion, if any, shall be printed as an appendix to the bill and attached thereto as are amendments.

History: 1971 c. 270 s. 104; 1973 c. 163; 1975 c. 224, 249; 1977 c. 196 s. 131; 1977 c. 325; 1981 c. 96; 1991 a. 39, 116, 316; 2003 a. 33; 2005 a. 25, 316.

A bill would probably result in a valid law even if the procedures specified in sub. (6) were disregarded by the legislature. When an act is passed by both houses, in accordance with constitutional requirements, the courts will not inquire into whether statutory legislative procedures were followed. 63 Atty. Gen. 305.

13.52 Joint survey committee on tax exemptions.

(1) CREATION. There is created a joint survey committee on tax exemptions composed of 9 members, as follows:

(a) Two majority party senators, one minority party senator, 2 majority party representatives to the assembly and one minority party representative to the assembly, selected as are the members of standing committees in their respective houses;

(b) A representative of the department of justice selected by the attorney general;

(c) The secretary of revenue or the secretary's designated representative; and

(d) A public member, selected by the governor by January 15 of each odd-numbered year, who is familiar with the tax problems of subordinate levels of government throughout the state.

(1m) OFFICERS. The officers of this committee shall be a senate chairperson and vice chairperson, an assembly chairperson and vice chairperson and a secretary. The senate chairperson and vice chairperson shall be selected as are chairpersons and vice chairpersons of senate committees. The assembly chairperson and vice chairperson shall be appointed by the speaker. The secre-

tary shall be elected by the committee from among its nonlegislator members.

(2) **VACANCIES.** Vacancies shall be filled as are original appointments.

(3) **TERM.** The terms of all members shall expire on January 15 of the odd-numbered years, and each member shall serve until a successor is appointed and qualified. Any member shall cease to be a member upon losing the status upon which the appointment is based.

(4) **COMMITTEE ACTION.** All actions of the committee shall require the approval of a majority of all the members.

(5) **POWERS AND DUTIES.** It is the purpose of this committee to provide the legislature with a considered opinion of the legality of the proposal, of the fiscal effect upon the state and its subdivisions and of the desirability as a matter of public policy of each legislative proposal which would modify existing laws or create new laws relating to the exemption of property or persons from any state or local taxes or special assessments. To this end the committee shall:

(a) Make such investigations as are required to carry out the duties assigned to it.

(b) Hold such hearings as are required to elicit information required to make its reports. Any member is empowered to administer oaths and examine witnesses. By subpoena, issued over the signature of the cochairpersons and served in the manner in which circuit court subpoenas are served, it may summon and compel the attendance of witnesses and the production of records necessary or convenient to be examined or used by them in carrying out their functions. Any subpoenaed witness who fails to appear, refuses to answer inquiries, or fails or refuses to produce records within his or her control when demanded shall be reported by the committee to the circuit court of Dane County, whose duty it is to compel obedience to any such subpoena by attachment proceedings for contempt as in case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(6) **REPORT.** Upon the introduction in either house of the legislature of any proposal which affects any existing statute or creates any new statute relating to the exemption of any property or person from any state or local taxes or special assessments, such proposal shall at once be referred to the joint survey committee on tax exemptions by the presiding officer instead of to a standing committee, and such proposal shall not be considered further by either house until the joint survey committee on tax exemptions has submitted a report, in writing, setting forth an opinion on the legality of the proposal, the fiscal effect upon the state and its subdivisions and its desirability as a matter of public policy and such report has been printed as an appendix to the bill and attached thereto as are amendments. Such printing shall be in lieu of inclusion in the daily journal of the house in which the bill was introduced.

(7) **STAFF.** The committee may employ such personnel as are required for the performance of its duties. Any intermittent employment of professional, technical or research personnel may be made outside the classified service.

History: 1973 c. 163; 1975 c. 215, 224; 1977 c. 325; 1991 a. 316; 1993 a. 184.

13.525 Joint review committee on criminal penalties.

(1) **CREATION.** There is created a joint review committee on criminal penalties composed of the following members:

(a) One majority party member and one minority party member from each house of the legislature, appointed as are the members of standing committees in their respective houses.

(b) The attorney general or his or her designee.

(c) The secretary of corrections or his or her designee.

(d) The state public defender or his or her designee.

(e) A reserve judge who resides in the 1st, 2nd, 3rd, 4th, or 5th judicial administrative district and a reserve judge who resides in the 6th, 7th, 8th, 9th, or 10th judicial administrative district, appointed by the supreme court.

(f) Two members of the public appointed by the governor, one of whom shall have law enforcement experience in this state and one of whom shall be an elected county official.

(2) **OFFICERS.** The majority party senator and the majority party representative to the assembly shall be cochairpersons of the committee. The committee shall elect a secretary from among its nonlegislator members.

(3) **JUDICIAL AND GUBERNATORIAL APPOINTEES.** Members appointed under sub. (1) (e) or (f) shall serve at the pleasure of the authority appointing them.

(4) **ELIGIBILITY.** A member shall cease to be a member upon losing the status upon which the appointment is based. Membership on the committee shall not be incompatible with any other public office.

(5) **REVIEW OF LEGISLATION RELATING TO CRIMES.** (a) If any bill that is introduced in either house of the legislature proposes to create a new crime or revise a penalty for an existing crime and the bill is referred to a standing committee of the house in which it is introduced, the chairperson may request the joint review committee to prepare a report on the bill under par. (b). If the bill is not referred to a standing committee, the speaker of the assembly, if the bill is introduced in the assembly, or the presiding officer of the senate, if the bill is introduced in the senate, may request the joint review committee to prepare a report on the bill under par. (b).

(b) If the joint review committee receives a request under par. (a) for a report on a bill that proposes to create a new crime or revise a penalty for an existing crime, the committee shall prepare a report concerning all of the following:

1. The costs that are likely to be incurred or saved by the department of corrections, the department of justice, the state public defender, the courts, district attorneys, and other state and local government agencies if the bill is enacted.

2. The consistency of penalties proposed in the bill with existing criminal penalties.

3. Alternative language needed, if any, to conform penalties proposed in the bill to penalties in existing criminal statutes.

4. Whether acts prohibited under the bill are prohibited under existing criminal statutes.

(c) The chief clerk shall print a report prepared by the committee under par. (b) as an appendix to the bill and attach it thereto as are amendments. The reproduction shall be in lieu of inclusion in the daily journal of the house in which the proposal is introduced.

(d) If a bill that is introduced in either house of the legislature proposes to create a new crime or revise a penalty for an existing crime, a standing committee to which the bill is referred may not vote on whether to recommend the bill for passage and the bill may not be passed by the house in which it is introduced before the joint review committee submits a report under par. (b) or before the 30th day after a report is requested under par. (a), whichever is earlier.

(6) **COMMITTEE POWERS AND PROCEDURES.** The committee may hold hearings as needed to elicit information for making a report under sub. (5) (b). The committee shall meet at the call of its cochairpersons. All actions of the committee require the approval of a majority of all of its members.

History: 2001 a. 109; 2003 a. 321.

13.53 Joint legislative audit committee. (1) CREATION.

There is created a joint legislative audit committee consisting of the cochairpersons of the joint committee on finance, 2 other majority and 2 minority party senators and 2 other majority and 2 minority party representatives to the assembly, appointed as are the members of standing committees in their respective houses. In making appointments of the members from each house other than the cochairpersons of the joint committee on finance, each house shall designate a cochairperson. The committee shall be staffed as are other standing committees of the legislature. The committee shall meet as often as necessary to perform its duties and functions.



MEMORANDUM

TO: Jeffrey Renk
Chief Clerk and Director of Operations

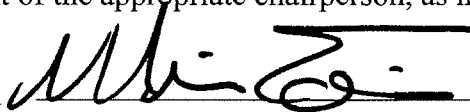
FROM: Senate President Ellis

DATE: March 6, 2012

RE: Rereferral of Senate Bill 531

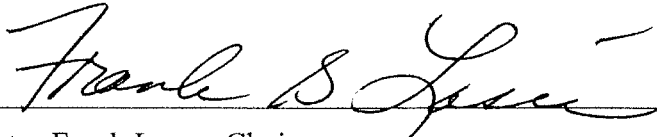
Pursuant to Senate Rule 46 (2) (c), I am writing to direct that **Senate Bill 531**, relating to: exempting a city, town, village, or school district from a county library tax be withdrawn from the Joint Committee on Tax Exemptions and rereferred to the Senate Committee on Labor, Public Safety and Urban Affairs

I have obtained the consent of the appropriate chairperson, as indicated by the signature below.



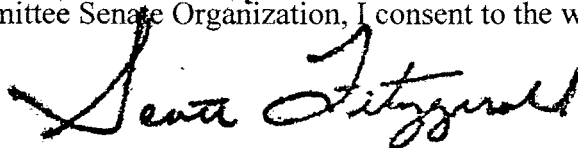
Senator Michael G. Ellis
Senate President

As the chairperson of the Joint Committee on Tax Exemptions, I consent to the withdrawal of the proposal as described above.



Senator Frank Lasee, Chair
Joint Committee on Tax Exemptions

As the chairperson of the committee Senate Organization, I consent to the withdrawal of the proposal as described above.



Senator Scott Fitzgerald, Chair
Senate Committee on Organization