

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0042/P1dn
MED: \

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Date

Steve:

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- ten 7
1. Current law requires an agency head to formally approve a scope statement for a proposed rule after the governor has approved it, which the agency head may not do until at least 10 days after publication of the scope statement in the administrative register. 2015 AB 251 included changes to delete this requirement because it basically requires an agency head to re-approve something that it previously approved, thereby delaying the rulemaking process by 10 or more days. You may wish to include these changes from AB 251 in this draft, because including them in AB 251 had been thought to somewhat balance out the time that will be added to the rulemaking process by adding the preliminary hearing and comment period, and I wasn't aware of anyone who objected to the changes. If you'd like to add that or discuss that further, let me know.
 2. Current law contains a number of exceptions to the requirement to hold a hearing on a proposed rule. In 2015 AB 251, we did not import any of these exceptions into the requirement to hold a preliminary public hearing and comment period on a scope statement, but it may make sense to do so. Look at s. 227.16, stats., and let me know if you want any of those exceptions to apply to the preliminary public hearing and comment period as well.
 3. I included an effective date provision as a placeholder. We can change that when you know what you'd like for that.
 4. I made some additional modifications to the language in the introduction to s. 227.139 to try to better reflect the intent of the provision. Let me know if you have any questions about those changes.

Michael Duchek
Legislative Attorney
(608) 266-0130
michael.duchek@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0042/P1dn
MED:ahe

September 7, 2016

Steve:

1. Current law requires an agency head to formally approve a scope statement for a proposed rule after the governor has approved it, which the agency head may not do until at least ten days after publication of the scope statement in the administrative register. 2015 AB 251 included changes to delete this requirement because it basically requires an agency head to reapprove something that it previously approved, thereby delaying the rule-making process by ten or more days. You may wish to include these changes from AB 251 in this draft, because including them in AB 251 had been thought to somewhat balance out the time that will be added to the rule-making process by adding the preliminary hearing and comment period, and I wasn't aware of anyone who objected to the changes. If you'd like to add that or discuss that further, let me know.
2. Current law contains a number of exceptions to the requirement to hold a hearing on a proposed rule. In 2015 AB 251, we did not import any of these exceptions into the requirement to hold a preliminary public hearing and comment period on a scope statement, but it may make sense to do so. Look at s. 227.16, stats., and let me know if you want any of those exceptions to apply to the preliminary public hearing and comment period as well.
3. I included an effective date provision as a placeholder. We can change that when you know what you'd like for that.
4. I made some additional modifications to the language in the introduction to s. 227.139 to try to better reflect the intent of the provision. Let me know if you have any questions about those changes.

Michael Duchek
Legislative Attorney
(608) 266-0130
michael.duchek@legis.wisconsin.gov

10/6/2016 – Call from Steve in Rep. Neylon's office. Requested changes:

- Only allow legislature/JCRAR, not DOA, to request independent EIA
- ~~10-5~~ – revised could also trigger
- Effective date – 1st date of 1st month after publication

(Page 10, line 5)

Duchek, Michael

From: Fawcett, Steve
Sent: Tuesday, October 11, 2016 10:19 AM
To: Duchek, Michael
Subject: RE: Change

Michael,

No, I think the way it should operate on revised EIA is that any subsequent EIA (that is updated along with changes to the rule) that shows an economic impact of \$10mil+ would still halt the rule.

So, for example, if an agency modified a rule and a new EIA was done and a new independent EIA was done...if either of those still show an economic impact of over \$10mil then the rule stays "stopped" and awaits action from the legislature.

If that doesn't make sense, give me a call and we can talk through it a little more. Thanks!

Best,
Steve

From: Duchek, Michael
Sent: Friday, October 07, 2016 12:59 PM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Subject: Change

Steve,

Regarding the change at page 10, line 5 – so you're saying the agency wouldn't have to have a bill passed if the agency modified the rule to come below the threshold and either the agency's revised EIA or an independent EIA prepared following that modification said they were below the \$10 million threshold? Is that a correct statement of what you want? If so, that would mean that if the agency's revised EIA said it was still above but the independent EIA said it wasn't, the agency could proceed with the rule. Is that what you want?

Mike Duchek
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 266-0130

Duchek, Michael

From: Fawcett, Steve
Sent: Monday, November 21, 2016 1:49 PM
To: Duchek, Michael
Subject: RE: Reg Reform Draft

Yep. Except the last one which should be an amendment.

Thanks,
Steve

From: Duchek, Michael
Sent: Monday, November 21, 2016 1:24 PM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Subject: RE: Reg Reform Draft

That all actually looks pretty straightforward. I will let you know if I have any followup. However, just to confirm, you want these changes to be made to LRB-0042? If so, I will make it a /P3, OK? Thanks,

-Mike

From: Fawcett, Steve
Sent: Monday, November 21, 2016 1:06 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Subject: Reg Reform Draft

Hi Michael:

After meeting with Rep. Neylon and discussing the bill as we have it now, we came up with some changes. I will describe them here so that you have something to work off of, but feel free to call me to discuss this further. For the current draft there are 4 changes to make:

1. Public Hearing on Statement of Scope: Current draft combined with current law has the first public hearing and then the 10 day waiting period before the scope statement can be approved. Amend the bill as follows:
 - a. Default should maintain current law (no public hearing up front or comment period on scope statements)
 - b. Create an "opt-in" provision whereby during the 10-day period following publication of the Governor's approval (as required by 227.135(3)) either co-chair of JCRAR may request a public hearing and comment period, in writing to the agency responsible for the scope statement.
 - c. If requested, the agency must hold the public hearing and accept public comments, and report all comments received to the individual or body with policy making powers. Scope statement may not be approved until this report is received.
2. Emergency Rules: Add in some language that was in last time that we removed. In 227.135(2), the prohibition that "no state employee or official may perform any activity in connection with the drafting of a proposed rule except for an activity necessary to prepare the statement of the scope of the proposed rule until the governor and the individual or body with policy-making powers over the subject matter of the proposed rule approve the statement" should apply "except for the activity related to drafting a corresponding emergency rule under s. 227.24."

3. DOA Review: Rules in final draft form should not go to DOA, maintain current law. DOA will only review the initial scope statement.
4. Any Member Can Introduce Legislation: Strengthen up the language and make it clear that any member of the Legislature can introduce a bill to authorize the agency to promulgate rules costing over \$10 million.

The above should be incorporated changes to the current draft. In addition to that, we would like to make up an amendment to go along with the bill. The amendment is similar to the "Federal Rules Exception" amendment we had last session. It should be as follows:

1. Federal Rules Exemption: Current draft requires all rules costing over \$10 million to have a full vote of the legislature. Draft an amendment that would create a process to allow certain state rules required by the federal government to proceed without the requiring a full vote of the legislature. To meet the exemption, an agency must request JCRAR co-chairs to certify that the rule:
 - a. Is necessary to comply with federal law (or a federal rule) that has been duly passed or duly promulgated; is not currently subject to any legal challenges which would void or modify the federal law or rule is requiring; and is otherwise enforceable against the state.
 - b. Consists of standards, requirements or limitations that are consistent with and no more stringent than the minimum required to comply with the federal law or federal rule
 - c. That the agency is explicitly authorized to promulgate the rule under Wisconsin law (Act 21)
2. All the other requirements of Ch. 227 would still apply, but rules meeting the above criteria would not be subject to the \$10 million cap

That's all I have as of now. So just the modifications to the draft we have plus the one amendment. Thanks!

Best,

Steve Fawcett

Legislative Assistant

Office of Rep. Adam Neylon

608.266.5120

Kohn, Hanna

From: Rep.Neylon
Sent: Thursday, December 29, 2016 3:20 PM
To: LRB.Legal
Cc: Summerfield, Craig; Sen.LeMahieu
Subject: RE: Draft review: LRB -0042/P3
Attachments: 17-0042_P3.pdf

LRB –

Please convert 0042/P3 into bill draft form, we plan to send this bill around for co-sponsorship early next week.

Sen. Lemahieu is going to be the Senate lead, so there will need to be a Senate version.

Please let me know if you have any questions.

Adam

From: LRB.Legal
Sent: Monday, November 28, 2016 1:11 PM
To: Rep.Neylon <Rep.Neylon@legis.wisconsin.gov>
Subject: Draft review: LRB -0042/P3

Following is the PDF version of draft LRB -0042/P3.

Barman, Mike

From: Barman, Mike
Sent: Wednesday, January 11, 2017 1:09 PM
To: Zapf, Joe
Subject: RE: Fiscal request

Joe,

I submitted your draft to DOA for (early) FE assignment. Please let me know if I can be of further assistance.

Mike Barman (Lead Program Assistant)

State of Wisconsin - Legislative Reference Bureau - Legal Section - Front Office
1 East Main Street, Suite 200, Madison, WI 53703
(608) 266-3561 / mike.barman@legis.wisconsin.gov

From: Zapf, Joe
Sent: Wednesday, January 11, 2017 1:04 PM
To: Barman, Mike <Mike.Barman@legis.wisconsin.gov>
Subject: RE: Fiscal request

As I mentioned on the phone, we will be turning in the bill jacket w/ co-sponsors once co-sponsorship ends next week.

From: Zapf, Joe
Sent: Wednesday, January 11, 2017 1:03 PM
To: Barman, Mike <Mike.Barman@legis.wisconsin.gov>
Subject: Fiscal request

Mike,

Thanks for your time this afternoon. Attached is Rep. Neylon's bill that he is looking for a fiscal estimate on. Please let me know if you have any questions.

Best,

Joe Zapf
Office of Rep. Adam Neylon
(608) 266-5120

Duchek, Michael

From: Zapf, Joe
Sent: Monday, April 24, 2017 11:41 AM
To: Duchek, Michael; Summerfield, Craig
Subject: RE: Assembly Companion

Yes please generate an Assembly version.

From: Duchek, Michael
Sent: Monday, April 24, 2017 11:35 AM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>
Cc: Zapf, Joe <Joe.Zapf@legis.wisconsin.gov>
Subject: RE: Assembly Companion

Joe would you confirm ("just for the record")? Thanks,

-Mike

From: Summerfield, Craig
Sent: Monday, April 24, 2017 11:34 AM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Cc: Zapf, Joe <Joe.Zapf@legis.wisconsin.gov>
Subject: Assembly Companion

Mike,

Joe Zapf in Neylon's office would like an Assembly version of the amendment drafted as well. I am releasing the draft to him.

Best,

Craig Summerfield

Chief of Staff
Office of Senator Devin LeMahieu
Room 323 South
(608) 266-2056

2017 DRAFTING REQUEST**Assembly Amendment (AA-ASA1-AB42)**For: **Dianne Hesselbein (608) 266-5340**Drafter: **mduchek**By: **Mike**

Secondary Drafters:

Date: **5/1/2017**

May Contact:

Same as LRB:

Submit via email: **YES**Requester's email: **Rep.Hesselbein@legis.wisconsin.gov**Carbon copy (CC) to: **michael.duchek@legis.wisconsin.gov**
elizabeth.wheeler@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Remove provision that allows JCRAR to permanently object to a proposed rule.

Instructions:

Remove provision that allows JCRAR to permanently object to a proposed rule.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 5/1/2017	eweiss 5/1/2017			
/1			mbarman 5/1/2017	mbarman 5/1/2017	

FE Sent For:

<END>

2017 DRAFTING REQUEST**Assembly Amendment (AA-ASA1-AB42)**For: **Dianne Hesselbein (608) 266-5340**Drafter: **mduchek**By: **Mike**

Secondary Drafters:

Date: **4/27/2017**

May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Rep.Hesselbein@legis.wisconsin.gov**
 Carbon copy (CC) to: **michael.duchek@legis.wisconsin.gov**
elizabeth.wheeler@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

If additional legislation is needed due to EIS expected costs exceeding \$10 M but is not introduced and passed before the legislature adjourns a biennial session, the agency retains authority to continue with the promulgation of said rule.

Instructions:

Redraft 17a0407 to substitute amendment

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 4/27/2017	wjackson 4/27/2017			
/P1	ewheeler 5/1/2017	jdye 5/1/2017	lparisi 4/27/2017		
/1			lparisi 5/1/2017	lparisi 5/1/2017	

FE Sent For:

<END>

2017 DRAFTING REQUEST**Assembly Amendment (AA-ASA1-AB42)**For: **Dianne Hesselbein (608) 266-5340**Drafter: **mduchek**By: **Mike**

Secondary Drafters:

Date: **4/27/2017**

May Contact:

Same as LRB:

Submit via email: **YES**Requester's email: **Rep.Hesselbein@legis.wisconsin.gov**Carbon copy (CC) to: **elizabeth.wheeler@legis.wisconsin.gov**
michael.duchek@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

No independent EIS from non-government party that has had an in-house or contract lobbyist on payroll or retainer at any point within the last five years

Instructions:

Redraft 17a0406 to substitute amendment

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 4/27/2017	wjackson 4/27/2017			
/P1	jkreye 5/1/2017		lparisi 4/27/2017		
/1		kmochal 5/1/2017	mbarman 5/1/2017	mbarman 5/1/2017	

FE Sent For:

<END>

2017 DRAFTING REQUEST**Assembly Amendment (AA-ASA1-AB42)**For: **Dianne Hesselbein (608) 266-5340**Drafter: **mduchek**By: **Mike**

Secondary Drafters:

Date: **4/27/2017**

May Contact:

Same as LRB:

Submit via email: **YES**Requester's email: **Rep.Hesselbein@legis.wisconsin.gov**Carbon copy (CC) to: **michael.duchek@legis.wisconsin.gov**
elizabeth.wheeler@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Require EIS (whether agency or third party) account for public benefits that may result as a result of the promulgation of the rule as well as any short- or long-term savings that may be realized as a result of the rule.

Instructions:

Redraft 17a0410 to substitute amendment

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 4/27/2017	kfollett 4/27/2017			
/P1	ewheeler 5/1/2017	jdye 5/1/2017	rmilford 4/27/2017		
/1			lparisi 5/1/2017	lparisi 5/1/2017	

FE Sent For:

<END>

2017 DRAFTING REQUEST**Assembly Amendment (AA-ASA1-AB42)**For: **Dianne Hesselbein (608) 266-5340**Drafter: **mduchek**By: **Mike**

Secondary Drafters:

Date: **4/27/2017**

May Contact:

Same as LRB:

Submit via email: **YES**Requester's email: **Rep.Hesselbein@legis.wisconsin.gov**Carbon copy (CC) to: **michael.duchek@legis.wisconsin.gov**
elizabeth.wheeler@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Up \$10 M threshold that would require additional legislation be passed to \$20 M for rules promulgated by the DNR

Instructions:

Redraft 17a0405 to substitute amendment

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 4/27/2017	wjackson 4/27/2017			
/P1	ewheeler 5/1/2017	kmochal 5/1/2017	lparisi 4/27/2017		
/1			mbarman 5/1/2017	mbarman 5/1/2017	

FE Sent For:

<END>

2017 DRAFTING REQUEST**Assembly Amendment (AA-ASA1-AB42)**For: **Adam Neylon (608) 266-5120**Drafter: **mduchek**

By:

Secondary Drafters:

Date: **5/1/2017**

May Contact:

Same as LRB: **a0462**Submit via email: **YES**Requester's email: **Rep.Neylon@legis.wisconsin.gov**Carbon copy (CC) to: **michael.duchek@legis.wisconsin.gov****Elizabeth.wheeler@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Approval by Senate or Assembly committees on organization for commission of an independent EIA

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	mduchek 5/1/2017	wjackson 5/1/2017	rmilford 5/1/2017	rmilford 5/1/2017	

FE Sent For:

<END>

Wheeler, Elizabeth

From: Zapf, Joe
Sent: Monday, May 01, 2017 12:32 PM
To: Summerfield, Craig; Wheeler, Elizabeth
Cc: Duchek, Michael; Grosz, Scott
Subject: RE: Amendment Request

Follow Up Flag: Follow up
Flag Status: Flagged

Elizabeth,

Please generate an assembly version of this amendment and send the stripes to Rep. Neylon for introduction.

Best,

Joe Zapf
Office of Rep. Adam Neylon
(608) 266-5120

From: Summerfield, Craig
Sent: Monday, May 01, 2017 12:24 PM
To: Wheeler, Elizabeth <Elizabeth.Wheeler@legis.wisconsin.gov>
Cc: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>; Grosz, Scott <Scott.Grosz@legis.wisconsin.gov>; Zapf, Joe <Joe.Zapf@legis.wisconsin.gov>
Subject: Amendment Request

Elizabeth,

Thank you for your prompt assistance on Friday. Can you please convert the attached pdraft amendment into a regular amendment and send the stripes over? Sen. LeMahieu will be introducing this as SA1 to SSA1 to SB 15 on the floor tomorrow.

Also, I have cc'd Joe Zapf from Rep. Neylon's office. Please release the draft to him. He will contact you to draft an Assembly companion amendment.

Best,

Craig Summerfield
Chief of Staff
Office of Senator Devin LeMahieu
Room 323 South
(608) 266-2056

Duchek, Michael

From: Summerfield, Craig
Sent: Thursday, December 29, 2016 4:18 PM
To: Duchek, Michael
Subject: RE: Draft review: LRB -0042/P3

Yes, please. Thanks, Mike!

Craig Summerfield

Chief of Staff
Office of Senator Devin LeMahieu
Room 323 South
(608) 266-2056

From: Duchek, Michael
Sent: Thursday, December 29, 2016 4:17 PM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>
Subject: RE: Draft review: LRB -0042/P3

Craig,

A formality, but can you confirm you'd like a companion bill? Thanks,

-Mike

From: Kohn, Hanna
Sent: Thursday, December 29, 2016 3:31 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Subject: FW: Draft review: LRB -0042/P3

Mike-

Could you please change lrb 0042 from a P3 draft to a /1?

Thanks,
Hanna

From: Rep.Neylon
Sent: Thursday, December 29, 2016 3:20 PM
To: LRB.Legal <lrblegal@legis.wisconsin.gov>
Cc: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>; Sen.LeMahieu <Sen.LeMahieu@legis.wisconsin.gov>
Subject: RE: Draft review: LRB -0042/P3

LRB –

Please convert 0042/P3 into bill draft form, we plan to send this bill around for co-sponsorship early next week.

Sen. Lemahieu is going to be the Senate lead, so there will need to be a Senate version.

Please let me know if you have any questions.

Adam

From: LRB.Legal

Sent: Monday, November 28, 2016 1:11 PM

To: Rep.Neylon <Rep.Neylon@legis.wisconsin.gov>

Subject: Draft review: LRB -0042/P3

Following is the PDF version of draft LRB -0042/P3.

Barman, Mike

From: Summerfield, Craig
Sent: Wednesday, January 18, 2017 9:21 AM
To: LRB.Legal
Subject: Draft Review: LRB -1338/1

Please Jacket LRB -1338/1 for the SENATE.

Craig Summerfield
Chief of Staff
Office of Senator Devin LeMahieu
Room 323 South
(608) 266-2056

Duchek, Michael

From: Summerfield, Craig
Sent: Tuesday, March 21, 2017 1:38 PM
To: Duchek, Michael
Cc: Grosz, Scott
Subject: Amendment to SB 15
Attachments: 17s0008_P1 - Vos.pdf

Hi Mike,

Could I get an amendment to SB 15 that only addresses the Clean Air Act exception and the "explicit" authority change? In other words, it only addresses points #1 and #3 in the attached amendment.

Thanks. You can send the stripes over. We are preparing for a potential hearing the first week of April.

Sorry for all the run-around on this bill. Appreciate all your help. Please contact me with any questions.

Best,

Craig Summerfield

Chief of Staff

Office of Senator Devin LeMahieu

Room 323 South

(608) 266-2056

Duchek, Michael

From: Summerfield, Craig
Sent: Tuesday, March 21, 2017 4:15 PM
To: Duchek, Michael
Cc: Grosz, Scott
Subject: RE: Amendment to SB 15

Sorry. We are looking for a simple amendment. If additional changes are needed later, we may end-up doing a sub.

From: Summerfield, Craig
Sent: Tuesday, March 21, 2017 4:14 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Cc: Grosz, Scott <Scott.Grosz@legis.wisconsin.gov>
Subject: RE: Amendment to SB 15

Mike,

If there needs to be cleanup, I think Devin would be open to that. Feel free to call when you get a minute and we can discuss further.

Craig

From: Duchek, Michael
Sent: Tuesday, March 21, 2017 2:20 PM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>
Cc: Grosz, Scott <Scott.Grosz@legis.wisconsin.gov>
Subject: RE: Amendment to SB 15

Simple amendment(s) or substitute amendment?

Also – someone from LC brought something up about the language on page 5, line 11 and the confusion between that and corresponding language at page 20, line 5, for emergency rules. After going over it again, I think it would be worth clarifying, but maybe we can discuss it if you have a chance so I can explain further.

-Mike

From: Summerfield, Craig
Sent: Tuesday, March 21, 2017 1:38 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Cc: Grosz, Scott <Scott.Grosz@legis.wisconsin.gov>
Subject: Amendment to SB 15

Hi Mike,

Could I get an amendment to SB 15 that only addresses the Clean Air Act exception and the “explicit” authority change? In other words, it only addresses points #1 and #3 in the attached amendment.

Thanks. You can send the stripes over. We are preparing for a potential hearing the first week of April.

Sorry for all the run-around on this bill. Appreciate all your help. Please contact me with any questions.

Best,

Craig Summerfield
Chief of Staff
Office of Senator Devin LeMahieu
Room 323 South
(608) 266-2056

2017 DRAFTING REQUEST**Senate Substitute Amendment (SSA-SB15)**For: **Devin LeMahieu (608) 266-2056**Drafter: **mduchek**By: **Craig**

Secondary Drafters:

Date: **4/21/2017**

May Contact:

Same as LRB:

Submit via email: **YES**Requester's email: **Sen.LeMahieu@legis.wisconsin.gov**

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Various changes to rulemaking process

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 4/21/2017	aernsttr 4/21/2017			
/P1	mduchek 4/24/2017	aernsttr 4/24/2017	rmilford 4/21/2017		
/1	mduchek 4/24/2017	aernsttr 4/24/2017	rmilford 4/24/2017	rmilford 4/24/2017	
/2			lparisi 4/24/2017	lparisi 4/24/2017	

FE Sent For:

<END>

Substitute Amendment:

- Bill
- AAI/SAI
- Modify s. 227.19(5) to allow for indefinite suspension of rules by modifying current law referencing DSPS rules
- If cost of independent EIA is \$50k+, allow JFC to determine payment.
- Remove appropriation references
- OK to delete language @ 6:9-10 as it is contradictory

Duchek, Michael

From: Summerfield, Craig
Sent: Friday, April 21, 2017 10:16 AM
To: Duchek, Michael
Subject: RE: JFC Oversight Provision

Mike,

I just got off the phone with Steve. They are NOT looking to use that process that requires a bill from JCRAR to immediately be referred to the floor within a set period of time.

Let me know if you have any questions on this.

Thanks,

Craig

From: Duchek, Michael
Sent: Friday, April 21, 2017 9:49 AM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>
Subject: RE: JFC Oversight Provision

Can you call me when you have a sec? 266-0130

From: Summerfield, Craig
Sent: Friday, April 21, 2017 9:37 AM
To: Grosz, Scott <Scott.Grosz@legis.wisconsin.gov>; Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Subject: RE: JFC Oversight Provision

Thanks, Scott! I talked to Devin and he is good to go.

Mike, is there any chance at all we could get this amendment back today? Stroebel's office had mentioned adding this to their Exec on Wednesday.

From: Grosz, Scott
Sent: Friday, April 21, 2017 8:12 AM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>
Cc: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Subject: RE: JFC Oversight Provision

My understanding of what you guys wanted is that Mike would draft this part of the amendment in a way that would allow JCRAR to execute the contract regardless of JFC's decision to meet.

Scott

From: Summerfield, Craig
Sent: Thursday, April 20, 2017 5:50 PM
To: Grosz, Scott <Scott.Grosz@legis.wisconsin.gov>

Cc: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>

Subject: JFC Oversight Provision

Scott,

I talked to my boss about the JFC oversight provision. Based on your understanding of today's meeting, could the contract be executed by JCRAR regardless of when JFC decides to meet? Or would it still need to meet first to determine the funding source?

I think my boss' concern is that, although we may have narrowed its focus, is this still an active review process? For example, could JFC choose to kill an independent EIA by simply refusing to meet?

Best,

Craig Summerfield

Chief of Staff

Office of Senator Devin LeMahieu

Room 323 South

(608) 266-2056

Duchek, Michael

From: Summerfield, Craig
Sent: Friday, April 21, 2017 11:32 AM
To: Duchek, Michael
Cc: Grosz, Scott
Subject: RE: JFC Oversight Provision

Yes, do it. Thank you.

From: Duchek, Michael
Sent: Friday, April 21, 2017 11:31 AM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>
Cc: Grosz, Scott <Scott.Grosz@legis.wisconsin.gov>
Subject: RE: JFC Oversight Provision

One other thing – another suggestion I got was that the costs/payment for an independent EIA will probably be determined up front, so it might not be accurate to use the term “reimbursement.” So I suggest deleting the sentence on page 10, lines 10-13. Does that seem OK?

-Mike

From: Summerfield, Craig
Sent: Thursday, April 20, 2017 5:50 PM
To: Grosz, Scott <Scott.Grosz@legis.wisconsin.gov>
Cc: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Subject: JFC Oversight Provision

Scott,

I talked to my boss about the JFC oversight provision. Based on your understanding of today's meeting, could the contract be executed by JCRAR regardless of when JFC decides to meet? Or would it still need to meet first to determine the funding source?

I think my boss' concern is that, although we may have narrowed its focus, is this still an active review process? For example, could JFC choose to kill an independent EIA by simply refusing to meet?

Best,

Craig Summerfield

Chief of Staff
Office of Senator Devin LeMahieu
Room 323 South
(608) 266-2056

Duchek, Michael

From:
Sent:
To:
Subject:

Summerfield, Craig
Friday, April 21, 2017 4:22 PM
Duchek, Michael
RE: Rules bills

Mike,
Thanks a lot for your prompt assistance. It is truly appreciated.

I just reviewed the sub with Scott Grosz and have no concerns. Hopefully the others feel the same.

Thanks again.

Craig

From: Duchek, Michael
Sent: Friday, April 21, 2017 4:14 PM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>; Zapf, Joe <Joe.Zapf@legis.wisconsin.gov>; Field, Adam <Adam.Field@legis.wisconsin.gov>
Subject: Rules bills

Just a heads up that I will be on vacation next beginning next week, Wed. April 26 and will be back Tuesday, May 2. I hope to be able to check email for most of the time, but just wanted to give you a heads up. But I will be in next Monday and Tuesday. If you think you might need anything more while I'm away, let me know. Otherwise, we of course will have other drafters that I will try to keep in the loop here in case anything comes up.

Mike Duchek
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 266-0130

Duchek, Michael

From: Summerfield, Craig
Sent: Friday, April 21, 2017 7:09 PM
To: Duchek, Michael
Subject: RE: FW: Draft review: LRB s0058/P1

That sounds right to me. I'll bet he's reading it wrong....

Thanks, Mike. I'll touch base on Monday.

From: Duchek, Michael
Sent: Friday, April 21, 2017 6:08 PM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>
Subject: Re: FW: Draft review: LRB s0058/P1

Sure. The change limited (6) (b) so that that provision only applies to the current law, temporary objections and not to the I definite objecruons. If that's not exactly what was wanted, maybe I misunderstood.

Get Outlook for Android

From: Summerfield, Craig
Sent: Friday, April 21, 6:01 PM
Subject: FW: Draft review: LRB s0058/P1
To: Duchek, Michael
Cc: Grosz, Scott

Mike,

Can we touch base on this Monday morning?

Best,

Craig

From: Fawcett, Steve
Sent: Friday, April 21, 2017 4:40 PM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>
Subject: RE: Draft review: LRB s0058/P1

I don't think they changed the provision to give the Speaker the discretion. Here's the language from the draft (pg 23):

227.19 (6) (b) Upon introduction of the bills under sub. (5) (e) or (g), the presiding officer of each house of the legislature shall refer the bill introduced in that house to the appropriate committee, to the calendar scheduling committee or directly to the calendar. If the committee to which a bill is referred makes no report within 30 days after referral, the bill shall be considered reported without recommendation. No later than 40 days after referral, or as soon thereafter as is possible if the legislature is not in a floorperiod 40 days after referral, the bills shall be placed on the calendar of each house of the legislature according to its rule governing the placement of proposals on the calendar. A bill introduced under this section which that is received in the 2nd house shall be referred, reported and placed on the calendar in the same manner as an original bill introduced under this section.

That is pretty similar, if not the same, as the current language that mandates a referral to the floor for a vote in 30 days. I called Duchek but he is out. I think we'll want to clean that up before we go anywhere.

Thanks,

Steve

Duchek, Michael

From: Summerfield, Craig
Sent: Monday, April 24, 2017 10:39 AM
To: Duchek, Michael
Subject: FW: Draft review: LRB s0058/P1

Mike,

Can you confirm regarding Steve's last point? If so, I would like to convert the P-Draft to a regular LRB as soon as possible.

Craig

From: Fawcett, Steve
Sent: Monday, April 24, 2017 9:14 AM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>; Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Subject: RE: Draft review: LRB s0058/P1

Mike/Craig,

Ok. That makes more sense. So long as the prohibition on an agency introducing the same rule still applies while the legislature is referring, reviewing, or voting on such a bill, then I think we are good.

Thanks,
Steve

From: Summerfield, Craig
Sent: Monday, April 24, 2017 9:07 AM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Subject: FW: Draft review: LRB s0058/P1

Does this address your concerns?

From: Duchek, Michael
Sent: Monday, April 24, 2017 8:42 AM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>
Cc: Grosz, Scott <Scott.Grosz@legis.wisconsin.gov>
Subject: RE: Draft review: LRB s0058/P1

The change below (in red) *limits* this provision so that it *only* applies to bills under sub. (5) (e) or (g), which are bills in support of a temporary objection AKA the current process. It would therefore not apply to the "indefinite suspension" bills under sub. (5) (em).

227.19 (6) (b) Upon introduction of the bills under sub. (5) (e) or (g), the presiding officer of each house of the legislature shall refer the bill introduced in that house to the appropriate committee, to the calendar scheduling committee or directly to the calendar. If the committee to which a bill is referred makes no report within

30 days after referral, the bill shall be considered reported without recommendation. No later than 40 days after referral, or as soon thereafter as is possible if the legislature is not in a floorperiod 40 days after referral, the bills shall be placed on the calendar of each house of the legislature according to its rule governing the placement of proposals on the calendar. A bill introduced under this section which that is received in the 2nd house shall be referred, reported and placed on the calendar in the same manner as an original bill introduced under this section.

-Mike

From: Summerfield, Craig
Sent: Friday, April 21, 2017 6:01 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Cc: Grosz, Scott <Scott.Grosz@legis.wisconsin.gov>
Subject: FW: Draft review: LRB s0058/P1

Mike,

Can we touch base on this Monday morning?

Best,

Craig

From: Fawcett, Steve
Sent: Friday, April 21, 2017 4:40 PM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>
Subject: RE: Draft review: LRB s0058/P1

I don't think they changed the provision to give the Speaker the discretion. Here's the language from the draft (pg 23):

227.19 (6) (b) Upon introduction of the bills under sub. (5) (e) or (g), the presiding officer of each house of the legislature shall refer the bill introduced in that house to the appropriate committee, to the calendar scheduling committee or directly to the calendar. If the committee to which a bill is referred makes no report within 30 days after referral, the bill shall be considered reported without recommendation. No later than 40 days after referral, or as soon thereafter as is possible if the legislature is not in a floorperiod 40 days after referral, the bills shall be placed on the calendar of each house of the legislature according to its rule governing the placement of proposals on the calendar. A bill introduced under this section which that is received in the 2nd house shall be referred, reported and placed on the calendar in the same manner as an original bill introduced under this section.

That is pretty similar, if not the same, as the current language that mandates a referral to the floor for a vote in 30 days. I called Duchek but he is out. I think we'll want to clean that up before we go anywhere.

Thanks,
Steve

From: Summerfield, Craig
Sent: Friday, April 21, 2017 4:18 PM

To: Zapf, Joe <Joe.Zapf@legis.wisconsin.gov>; Liedl, Kimber <Kimberly.Liedl@legis.wisconsin.gov>; Ottman, Tad <Tad.Ottman@legis.wisconsin.gov>; Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Subject: FW: Draft review: LRB s0058/P1
Importance: High

please let me know ASAP if anyone has concerns.

From: LRB.Legal
Sent: Friday, April 21, 2017 2:52 PM
To: Sen.LeMahieu <Sen.LeMahieu@legis.wisconsin.gov>
Subject: Draft review: LRB s0058/P1

Following is the PDF version of draft LRB s0058/P1.

Duchek, Michael

From: Summerfield, Craig
Sent: Monday, April 24, 2017 11:18 AM
To: Fawcett, Steve; Duchek, Michael
Subject: RE: Draft review: LRB s0058/P1

Thanks, Steve!

Mike, could you please convert this to a regular substitute amendment and send the stripes over?

Best,

Craig

From: Fawcett, Steve
Sent: Monday, April 24, 2017 11:14 AM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>
Cc: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Subject: RE: Draft review: LRB s0058/P1

Craig,

Just spoke to Mike. We are good.

Thanks,
Steve

From: Summerfield, Craig
Sent: Monday, April 24, 2017 11:06 AM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Cc: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Subject: FW: Draft review: LRB s0058/P1

Steve,

If you could call Mike ASAP and get this resolved, that would be great. Stroebel's office (who chairs the committee in the Senate) wants the final version of this amendment.

Thanks,

Craig

From: Duchek, Michael
Sent: Monday, April 24, 2017 10:44 AM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Cc: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>
Subject: RE: Draft review: LRB s0058/P1

Steve can you call me when you get a chance so I can make sure we're talking about the same thing?

-Mike – 266-0130

From: Fawcett, Steve
Sent: Monday, April 24, 2017 9:14 AM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>; Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Subject: RE: Draft review: LRB s0058/P1

Mike/Craig,

Ok. That makes more sense. So long as the prohibition on an agency introducing the same rule still applies while the legislature is referring, reviewing, or voting on such a bill, then I think we are good.

Thanks,
Steve

From: Summerfield, Craig
Sent: Monday, April 24, 2017 9:07 AM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Subject: FW: Draft review: LRB s0058/P1

Does this address your concerns?

From: Duchek, Michael
Sent: Monday, April 24, 2017 8:42 AM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>
Cc: Grosz, Scott <Scott.Grosz@legis.wisconsin.gov>
Subject: RE: Draft review: LRB s0058/P1

The change below (in red) *limits* this provision so that it *only* applies to bills under sub. (5) (e) or (g), which are bills in support of a temporary objection AKA the current process. It would therefore not apply to the "indefinite suspension" bills under sub. (5) (em).

227.19 (6) (b) Upon introduction of the bills under sub. (5) (e) or (g), the presiding officer of each house of the legislature shall refer the bill introduced in that house to the appropriate committee, to the calendar scheduling committee or directly to the calendar. If the committee to which a bill is referred makes no report within 30 days after referral, the bill shall be considered reported without recommendation. No later than 40 days after referral, or as soon thereafter as is possible if the legislature is not in a floorperiod 40 days after referral, the bills shall be placed on the calendar of each house of the legislature according to its rule governing the placement of proposals on the calendar. A bill introduced under this section which that is received in the 2nd house shall be referred, reported and placed on the calendar in the same manner as an original bill introduced under this section.

-Mike

From: Summerfield, Craig
Sent: Friday, April 21, 2017 6:01 PM

To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Cc: Grosz, Scott <Scott.Grosz@legis.wisconsin.gov>
Subject: FW: Draft review: LRB s0058/P1

Mike,

Can we touch base on this Monday morning?

Best,

Craig

From: Fawcett, Steve
Sent: Friday, April 21, 2017 4:40 PM
To: Summerfield, Craig <Craig.Summerfield@legis.wisconsin.gov>
Subject: RE: Draft review: LRB s0058/P1

I don't think they changed the provision to give the Speaker the discretion. Here's the language from the draft (pg 23):

227.19 (6) (b) Upon introduction of the bills under sub. (5) (e) or (g), the presiding officer of each house of the legislature shall refer the bill introduced in that house to the appropriate committee, to the calendar scheduling committee or directly to the calendar. If the committee to which a bill is referred makes no report within 30 days after referral, the bill shall be considered reported without recommendation. No later than 40 days after referral, or as soon thereafter as is possible if the legislature is not in a floor period 40 days after referral, the bills shall be placed on the calendar of each house of the legislature according to its rule governing the placement of proposals on the calendar. A bill introduced under this section which that is received in the 2nd house shall be referred, reported and placed on the calendar in the same manner as an original bill introduced under this section.

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Thanks,
Steve

From: Summerfield, Craig
Sent: Friday, April 21, 2017 4:18 PM
To: Zapf, Joe <Joe.Zapf@legis.wisconsin.gov>; Liedl, Kimber <Kimberly.Liedl@legis.wisconsin.gov>; Ottman, Tad <Tad.Ottman@legis.wisconsin.gov>; Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Subject: FW: Draft review: LRB s0058/P1
Importance: High

Please let me know ASAP if anyone has concerns.

From: LRB.Legal
Sent: Friday, April 21, 2017 2:52 PM
To: Sen.LeMahieu <Sen.LeMahieu@legis.wisconsin.gov>
Subject: Draft review: LRB s0058/P1

Duchek, Michael

From: Summerfield, Craig
Sent: Monday, April 24, 2017 12:46 PM
To: Duchek, Michael
Subject: RE: JFC Committee Changes

Mike,

Can you please make this change and make it a rush? I am sending over the stripes NOW.

Craig

From: Summerfield, Craig
Sent: Monday, April 24, 2017 12:28 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Subject: JFC Committee Changes

FYI.

Craig Summerfield
Chief of Staff
Office of Senator Devin LeMahieu
Room 323 South
(608) 266-2056

2017 DRAFTING REQUEST**Senate Amendment (SA-SSA1-SB15)**For: **Devin LeMahieu (608) 266-2056**Drafter: **mduchek**By: **Craig**

Secondary Drafters:

Date: **4/28/2017**

May Contact:

Same as LRB: **a0474**Submit via email: **YES**Requester's email: **Sen.LeMahieu@legis.wisconsin.gov**Carbon copy (CC) to: **michael.duchek@legis.wisconsin.gov**
elizabeth.wheeler@legis.wisconsin.gov
mary.pfotenhauer@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Approval by Senate or Assembly committees on organization for commission of an independent EIA

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 4/28/2017	wjackson 4/28/2017			
/P1	ewheeler 5/1/2017	jdye 5/1/2017	mbarman 4/28/2017		
/1			mbarman 5/1/2017	mbarman 5/1/2017	

FE Sent For:

<END>

Wheeler, Elizabeth

From: Duchek, Michael
Sent: Friday, April 28, 2017 1:20 PM
To: Summerfield, Craig; Pfothenhauer, Mary
Cc: Grosz, Scott; Wheeler, Elizabeth
Subject: Re: Pdraft Amendment Request to SS1 to SB 15

This could be accomplished by adding these caveats in 227.137 (4m) and 227.19 (5) (b) 3. Mary or Elizabeth can you try this? Check with Rick if needed about referring to the org committees in statute.

Get [Outlook for Android](#)

From: Summerfield, Craig
Sent: Friday, April 28, 11:05 AM
Subject: Pdraft Amendment Request to SS1 to SB 15
To: Pfothenhauer, Mary
Cc: Grosz, Scott, Duchek, Michael

Hi Mary,

I am requesting a pdraft amendment to Senate Substitute Amendment 1 to Senate Bill 15.

The amendment would require an additional layer of approval for an independent economic impact analysis (EIA). Specifically:

- An EIA requested by the JCRAR Senate co-chair would require sign-off by Senate Org
- An EIA requested by the JCRAR Assembly co-chair would require sign-off by Assembly Org
- An EIA requested by the full committee of JCRAR would require sign-off by both Senate Org and Assembly Org

In terms of process, JCRAR would still work-out the details of the contract. But before the contract could be executed, it would need to be submitted to and approved by the appropriate Org committee.

If you could expedite this request, I would greatly appreciate it. We are seeking this on behalf of Senator Fitzgerald's office. This is tentatively scheduled for the Senate Calendar on Tuesday.

I have also discussed this amendment with Scott Grosz at Leg. Council, so he would be a good resource on this issue.

Best,

Craig Summerfield

Chief of Staff

Office of Senator Devin LeMahieu

Room 323 South

(608) 266-2056

2017 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB15)

For: Kathleen Vinehout (608) 266-8546

By: Leg. Council - Scott

Date: 5/1/2017

Same as LRB:

Drafter: mduchek

Secondary Drafters:

May Contact:

Submit via email:
 Requester's email:
 Carbon copy (CC) to:

YES
 Sen.Vinehout@legis.wisconsin.gov
 michael.duchek@legis.wisconsin.gov
 elizabeth.wheeler@legis.wisconsin.gov
 Scott.grosz@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Require consideration of benefits in \$10,000,000 trigger

Instructions:

Require consideration of benefits in \$10,000,000 trigger.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 5/1/2017	aernstr 5/1/2017			
/1			lparisi 5/1/2017	lparisi 5/1/2017	

FE Sent For:

<END>

2017 DRAFTING REQUEST

LRBa0476

Senate Amendment (SA-SSA1-SB15)

For: Kathleen Vinehout (608) 266-8546

By: Leg. Council - Scott

Date: 5/1/2017

Drafter: mduchek

Secondary Drafters:

Same as LRB:

May Contact:

Submit via email:
Requester's email:
Carbon copy (CC) to:

YES
Sen.Vinehout@legis.wisconsin.gov
michael.duchek@legis.wisconsin.gov
Elizabeth.wheeler@legis.wisconsin.gov
Scott.grosz@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Agency may promulgate rule if costs are offset by benefits.

Instructions:

If LAB finds that the costs are completely offset by benefits, the agency may promulgate the rule.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 5/1/2017	anienaja 5/1/2017			
/1			mbarman 5/1/2017	mbarman 5/1/2017	

FE Sent For:

<END>

2017 DRAFTING REQUEST**Assembly Amendment (AA-SB15)**For: **Mark Spreitzer (608) 266-1192**Drafter: **mduchek**By: **Mark**

Secondary Drafters:

Date: **6/13/2017**

May Contact:

Same as LRB:

Submit via email: **YES**Requester's email: **Rep.Spreitzer@legis.wisconsin.gov**

Carbon copy (CC) to:

Pre Topic:No specific pre topic given

Topic:AA4 to ASA1 to AB 42 + 2015 ASA1 to AB251

Instructions:No specific instructions given

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 6/13/2017				
/1		anienaja 6/13/2017	lparisi 6/13/2017	lparisi 6/13/2017	

FE Sent For:

<END>

Duchek, Michael

From:
Sent:
To:
Subject:

Bender, Mark
Tuesday, June 13, 2017 8:57 AM
Duchek, Michael
Re: Amendment Draft

Simple

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: "Duchek, Michael" <Michael.Duchek@legis.wisconsin.gov>
Date: 6/13/17 8:53 AM (GMT-06:00)
To: "Bender, Mark" <Mark.Bender@legis.wisconsin.gov>
Subject: RE: Amendment Draft

Do you want a substitute amendment or a simple amendment?

From: Bender, Mark
Sent: Tuesday, June 13, 2017 8:52 AM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
subject: RE: Amendment Draft

Oh, I'm sorry. Yes, that amendment.

My fault, I apologize.

Mark Bender
Legislative Aide
Office of Representative Mark Spreitzer

From: Duchek, Michael
Sent: Tuesday, June 13, 2017 8:51 AM
To: Bender, Mark <Mark.Bender@legis.wisconsin.gov>
Subject: RE: Amendment Draft

No, I'm asking what you want to combine with ASA1 to 2015 AB 251. This?

http://docs.legis.wisconsin.gov/2017/related/amendments/ab42/aa4_asa1_ab42

And do you want a substitute amendment or a simple amendment?

-Mike

From: Bender, Mark
Sent: Monday, June 12, 2017 5:42 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Subject: Re: Amendment Draft

Mike,

I believe an sb15 is the companion, which is what I think we are taking up

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: "Duchek, Michael" <Michael.Duchek@legis.wisconsin.gov>
Date: 6/12/17 5:07 PM (GMT-06:00)
To: "Bender, Mark" <Mark.Bender@legis.wisconsin.gov>
Subject: RE: Amendment Draft

Mark,

Did you mean AA4 to ASA1 to 2017 AB42?

-Mike

From: Milford, Renae
Sent: Monday, June 12, 2017 4:46 PM
To: Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>
Subject: FW: Amendment Draft

I believe this goes to you. They want it for the floor Wednesday, so it is an ASAP.

From: Bender, Mark
Sent: Monday, June 12, 2017 4:38 PM
To: LRB.Legal <lrblegal@legis.wisconsin.gov>
Subject: Amendment Draft

Can we incorporate last year's ASA1 to 2015 AB 251 as an addition to/combination with the current language in AA4 to ASA1 to 2017 SB 15? We need this for the floor on Wednesday, so as soon as we can get it, that would be helpful.

Thanks,

Mark Bender
Legislative Aide
Office of Representative Mark Spreitzer

2017 DRAFTING REQUEST**Assembly Amendment (AA-SB15)**For: **Dianne Hesselbein (608) 266-5340**Drafter: **mduchek**By: **Mike**

Secondary Drafters:

Date: **5/9/2017**

May Contact:

Same as LRB:

Submit via email: **YES**Requester's email: **Rep.Hesselbein@legis.wisconsin.gov**

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

No independent EIS from non-government party that has had an in-house or contract lobbyist on payroll or retainer at any point within the last five years

Instructions:

AA3

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 5/9/2017	wjackson 5/9/2017			
/1			rmilford 5/9/2017	rmilford 5/9/2017	

FE Sent For:

<END>

Duchek, Michael

From: VanDenHeuvel, Mike
Sent: Tuesday, May 09, 2017 10:52 AM
To: Duchek, Michael; Champagne, Rick
Subject: Amendment Drafting Request to SSA1 to SB 15

Hi Mike -

Following up on a voicemail I just left you, I wanted to request that LRB draft the following amendments that have been drafted to ASA1 to AB 42 to SSA1 to SB 15 in case the senate bill is brought up for debate during tomorrow's Assembly floor session. Unless otherwise noted below, a straight re-draft to the senate proposal should be fine. Feel free to call with any questions, thanks!

- 1 – LRBa0447/1 – Please change restriction on contracting with person who is a lobbyist from the preceding 5 years to the preceding 1 year.
- 2 – LRBa0450/1
- 3 – LRBz0451/1 – Please draft the amendment to only include long-term savings. That's to say, please cut "short-term"
- 4 – LRBa0446/1
- 5 – LRBa0448/1
- 6 – LRBa0477/1
- 7 – LRBa0457/1
- 8 – LRBa0445/1

Mike VanDenHeuvel
Office of Rep. Dianne Hesselbein
Assistant Democratic Leader
(608) 266-5340

2017 DRAFTING REQUEST**Assembly Amendment (AA-SB15)**For: **Dianne Hesselbein (608) 266-5340**Drafter: **mduchek**By: **Mike**

Secondary Drafters:

Date: **5/9/2017**

May Contact:

Same as LRB:

Submit via email: **YES**Requester's email: **Rep.Hesselbein@legis.wisconsin.gov**

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Exempt rules promulgated by DVA from the bill

Instructions:

No specific instructions given

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 5/9/2017	wjackson 5/9/2017			
/1			rmilford 5/9/2017	rmilford 5/9/2017	

FE Sent For:

<END>

Duchek, Michael

From: VanDenHeuvel, Mike
Sent: Tuesday, May 09, 2017 10:52 AM
To: Duchek, Michael; Champagne, Rick
Subject: Amendment Drafting Request to SSA1 to SB 15

Hi Mike -

Following up on a voicemail I just left you, I wanted to request that LRB draft the following amendments that have been drafted to ASA1 to AB 42 to SSA1 to SB 15 in case the senate bill is brought up for debate during tomorrow's Assembly floor session. Unless otherwise noted below, a straight re-draft to the senate proposal should be fine. Feel free to call with any questions, thanks!

1 – LRBa0447/1 – Please change restriction on contracting with person who is a lobbyist from the preceding 5 years to the preceding 1 year.

2 – LRBa0450/1

3 – LRBz0451/1 – Please draft the amendment to only include long-term savings. That's to say, please cut "short-term"

4 – LRBa0446/1

5 – LRBa0448/1

6 – LRBa0477/1

7 – LRBa0457/1

8 – LRBa0445/1

Mike VanDenHeuvel
Office of Rep. Dianne Hesselbein
Assistant Democratic Leader
(608) 266-5340

Duchek, Michael

From: VanDenHeuvel, Mike
Sent: Tuesday, June 13, 2017 10:48 AM
To: Duchek, Michael
Subject: RE: Amendment

Looks good to me. Thanks, Mike!

Mike VanDenHeuvel
Office of Rep. Dianne Hesselbein
Assistant Democratic Leader
(608) 266-5340

From: Duchek, Michael
Sent: Tuesday, June 13, 2017 10:40 AM
To: VanDenHeuvel, Mike <Mike.VanDenHeuvel@legis.wisconsin.gov>
Subject: Amendment

Is this language OK?

This section does not apply to a proposed rule that is required in order to comply with any federal law or any order from the federal government.

Mike Duchek
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 266-0130