

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: 06/22/99

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Senate Democratic Caucus

By/Representing: Walter

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Alt. Drafters:

Subject: Nat. Res. - nav. waters

Extra Copies:

**Pre Topic:**

SDC:.....Walter - Caucus #2632,

**Topic:**

Designate \$350,000 from the recreational boating projects aids for a grant to Janesville for development of the riverfront parkway with a marina that includes a boat launch and transient boat slips

**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>
/1	rkite 06/27/99	jgeller 06/27/99	hhagen 06/28/99	_____	lrb_docadmin 06/28/99		

FE Sent For:

<END>

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/?	rkite	11/6/27 jlg		_____			

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<END>

yes

SDC

### Agency: Natural Resources - Recreational Programs

caucus number 2632

duplicate flag:  
duplicate with:

Other reference numbers: Paper 701	LFB Sum #: page 592
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Designate \$350,000 from the recreational boating projects aids appropriation for a grant to Janesville for development of the Riverfront Parkway that includes a marina with a boat launch and transient boat slips

other notes

drafting instructions: See above and attached

*Inland*

more instructions:

caucus number 3216

duplicate flag:  
duplicate with:

Other reference numbers: FM 206	LFB Sum #: page 600
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Delete provision regarding hearing procedure for objections to local boating regulations found in FM 206 by Rep. Ward

other notes

drafting instructions: see above

more instructions:

Agency: Natural Resources - Recreational Programs

Number of Amendments: 2

*RNR  
Nav. Waters*

*make inland +  
then D-Note re:  
right 90?*

June 18, 1999

Budget Amend

CN 2632

Re: Natural Resources – Recreational Programs

**Recreational Boating Projects Aids Funding (LFB Paper #701)**

Designate \$350,000 from the recreational boating projects aids appropriation for a grant to the City of Janesville for development of the Riverfront Parkway that includes a marina with a boat launch and transient boat slips.

See LFB Comprehensive Summary page 592

Change to bill: None



(501)

State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0849/1  
RNK.....

JLg

SDC:.....Walter - Caucus #2632, Riverfront parkway development

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

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

2 1. Page 1539, line 25: after that line insert:

3 nonstat (9f) RIVERFRONT PARKWAY DEVELOPMENT PROJECT. From the appropriation under section  
4 20.370 (5) (cq) of the statutes, as affected by this act, the department of natural  
5 resources shall provide \$350,000 to the city of Janesville for a project to develop the  
6 riverfront parkway that includes the development of a marina with a boat launch  
7 and transient boat slips. The amount expended under this subsection shall be  
8 considered an expenditure for an inland water project under section 30.92 (4) (b) 6.  
9 of the statutes. Notwithstanding section 30.92 (4) (b) 4., 7. or 8. of the statutes, the  
10 project specified under this subsection qualifies as an inland water project for the

recreational boating

1 purpose of expending moneys under this subsection. Notwithstanding section 30.92  
2 (4) (b) 2. of the statutes, the <sup>city of Janesville</sup> ~~department~~ need not contribute any moneys to match  
3 the amount expended from the appropriation under section 20.370 (5) (c). This  
4 project need not be placed on the priority list under section 30.92 (3) (a) of the  
5 statutes. This subsection does not apply after June 30, 2001."

6 (END)

of the statutes

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

LRBb0849/1dn

RNK.....

1  
JG

1. It is possible that a Wisconsin court would find that this amendment is a "private or local law" which, under art. IV, sec. 18 of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this amendment cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. 4, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest". As it is difficult to predict the potential for and outcome of any court action on this amendment, you may wish to consider introducing this proposal as a separate bill.

2. This draft states that for the purposes of applying the percentages under s. 30.92 (4) (b) 6. in current law, the project described in the draft is an ~~water~~ project. Please let me know if this designation is not consistent with the intent of the drafting request for this draft.

recreational boating

3. Please note that under this draft, there is no matching requirement for the city of Janesville. Also, the allocation of funding under the draft expires on June 30, 2001. If this is not consistent with the intent of the drafting request, please let me know and I will redraft accordingly.

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
E-mail: Robin.Kite@legis.state.wi.us

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**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0849/1dn  
RNK;jlg:ksh

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2. This draft states that for the purposes of applying the percentages under s. 30.92 (4) (b) 6. in current law, the project described in the draft is a recreational boating project. Please let me know if this designation is not consistent with the intent of the drafting request for this draft.

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State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0849/1  
RNK:jl:g:ksh

SDC:.....Walter – Caucus #2632, Riverfront parkway development

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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7 boat launch and transient boat slips. The amount expended under this subsection  
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9 (4) (b) 6. of the statutes. Notwithstanding section 30.92 (4) (b) 4., 7. or 8. of the  
10 statutes, the project specified under this subsection qualifies as a recreational

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2 Notwithstanding section 30.92 (4) (b) 2. of the statutes, the city of Janesville need not  
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6 June 30, 2001.”

7 (END)