

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 06/22/99

Received By: gibsom

Wanted: As time permits

Identical to LRB:

For: Senate Democratic Caucus

By/Representing: Walter

This file may be shown to any legislator: NO

Drafter: dykmapj

May Contact:

Alt. Drafters: gibsom

Subject: Nat. Res. - nav. waters

Extra Copies:

Pre Topic:

SDC:.....Walter - Caucus #3216,

Topic:

Delete provision regarding hearing procedure for objections to local boating regulations

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>
/?	gibsom 06/23/99			_____			
/1	dykmapj 06/23/99	jgeller 06/23/99	hhagen 06/23/99	_____	lrb_docadmin 06/24/99		

FE Sent For:

<END>

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/?	gibsom						

Handwritten signature and date: 6/23

FE Sent For:

<END>

yes

Agency: Natural Resources - Recreational Programs

50C

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

more instructions:

caucus number 3216

duplicate flag:
duplicate with:

Other reference numbers:	LFB Sum #: page 600
FM 206	
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

MGW
New Waters

+

NATURAL RESOURCES -- RECREATIONAL PROGRAMS

CN 3216

**Hearing Procedure for Objections to Local Boating
Regulations, Page 600 of the LFB Comparative Summary, #18.
Motion #206 by Rep. Ward.**

Joint Finance: See Attached.

Plache: Delete this provision.

Chg to Joint Finance: No fiscal effect

17. MACKENZIE ENVIRONMENTAL EDUCATION CENTER

Joint Finance: Direct DNR to reallocate 1.0 position within the Division of Customer Assistance and External Relations to provide for a facilities repair worker at the MacKenzie Environmental Education Center in Poynette (Columbia County).

18. HEARING PROCEDURE FOR OBJECTIONS TO LOCAL BOATING REGULATIONS

Joint Finance: Allow any local entity or any boating organization organized as a nonstock corporation whose primary purpose is to promote boating activities to object to an ordinance related to the operation of boats on rivers on the grounds that the ordinance is not necessary for public health, safety, welfare or the public's interest in preserving the state's natural resources. Specify that the hearing procedure would be the same as that for local entities objecting to ordinances that are contrary or inconsistent with statutory boating regulations.

Forests and Parks

1. FIRE DEPARTMENT PARTNERSHIPS [LFB Paper 685]

	Governor (Chg. to Base)		Jt. Finance (Chg. to Gov)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions
FED	\$0	- 3.00	\$0	0.00	\$0	- 3.00
SEG	<u>1,874,000</u>	<u>3.00</u>	<u>- 654,000</u>	<u>0.00</u>	<u>1,220,000</u>	<u>3.00</u>
Total	\$1,874,000	0.00	-\$654,000	0.00	\$1,220,000	0.00

Governor: Provide \$937,000 SEG and 3.0 SEG positions annually from the forestry account of the conservation fund and delete 3.0 FED positions annually related to the Department's partnerships with local fire departments. The funding would be used as follows: (a) \$525,000 SEG to reauthorize the local fire department equipment grant program; (b) \$327,000 SEG and 3.0 SEG positions and -3.0 FED positions to shift federal positions (two foresters and one forestry technician) to state funding and reallocate the federal funding to the equipment grant program; and (c) \$85,000 SEG for LTE funding to administer the equipment grant program and for contracting and LTE funding related to the Department's involvement in the Federal Excess Personal Property (FEPP) program. In addition, delete the June 30, 1999, sunset on the equipment grant program.

The fire department equipment grant program was created in the 1997-99 budget as a pilot program funded at \$525,000 annually to fund grants for forest fire fighting equipment for local departments that agree to assist DNR in suppression of forest fires. The bill would

LFB:.....Kava – Hearing procedure for objections to local boating ordinances

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

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

2 **1.** Page 537, line 18: delete lines 18 to 23 and substitute:

3 “**SECTION 867j.** 30.77 (3) (dm) 1. of the statutes is renumbered 30.77 (3) (dm)

4 1. (intro.) and amended to read:

5 30.77 (3) (dm) 1. (intro.) In this paragraph, ~~“local:~~

6 **b.** “Local entity” means a city, village, town, county, qualified lake association,

7 as defined in s. 281.68 (1) **(b)**, nonprofit conservation organization, as defined in s.

8 23.0955 (1), town sanitary district, public inland lake protection and rehabilitation

9 district or another local governmental unit, as defined in s. 66.299 (1) (a), that is

10 established for the purpose of lake management.

11 **SECTION 867m.** 30.77 (3) (dm) 1. a. of the statutes is created to read:

1 30.77 (3) (dm) 1. a. “Boating organization” means a nonstock corporation
2 organized under ch. 181 whose primary purpose is to promote boating activities.

3 **SECTION 867p.** 30.77 (3) (dm) 2. (intro.) of the statutes is renumbered 30.77 (2)
4 (dm) 2. and amended to read:

5 30.77 (2) (dm) 2. If the department or a local entity objects to an ordinance
6 enacted under par. (a), (ac) 2. or (am) 1. b., on the grounds that all or a portion of the
7 ordinance is contrary to or inconsistent with this chapter, ~~all of the following apply:~~
8 the procedure under subd. 2r. shall apply.

9 **SECTION 867s.** 30.77 (3) (dm) 2. a. of the statutes is renumbered 30.77 (3) (dm)
10 2r. a. and amended to read:

11 30.77 (3) (dm) 2r. a. Upon receipt of an objection under ~~this subdivision~~ subd.
12 2. or 2g., the department shall order a hearing on the objection under ch. 227. The
13 hearing shall be a contested case hearing, and the administrator of the division of
14 hearings and appeals in the department of administration shall assign a hearing
15 examiner to the hearing as provided in s. 227.43. Persons who are not parties to the
16 contested case may present testimony and evidence at the hearing.

17 **SECTION 867v.** 30.77 (3) (dm) 2. b. of the statutes is renumbered 30.77 (3) (dm)
18 2r. b. and amended to read:

19 30.77 (3) (dm) 2r. b. The hearing examiner shall issue an order on the objection
20 within 90 days after the date on which the hearing is ordered under subd. 2. 2r. a.
21 If

22 c. For an objection under subd. 2., if the hearing examiner determines that the
23 ordinance or the portion of the ordinance is contrary to or inconsistent with this
24 chapter, the hearing examiner shall issue an order declaring the ordinance or that
25 portion of the ordinance void. ~~The~~ For an objection under subd. 2g., if the hearing

1 examiner determines that the ordinance or the portion of the ordinance is not
2 necessary for public health, safety, welfare or the public's interest in preserving the
3 state's natural resources, the hearing examiner shall issue an order declaring the
4 ordinance or that portion of the ordinance void. An order issued under this subd. 2r.
5 c. shall prohibit the enforcement of all or any portion of the ordinance declared to be
6 void.

7 **SECTION 867x.** 30.77 (3) (dm) 2g. of the statutes is created to read:

8 30.77 (3) (dm) 2g. If a local entity or an boating organization objects to an
9 ordinance enacted under par. (a) that applies to a river or stream, or to an ordinance
10 enacted under par. (b), on the grounds that all or a portion of the ordinance is not
11 necessary for public health, safety, welfare or the public's interest in preserving the
12 state's natural resources, the procedure under subd 2r. shall apply.”.

13 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0850/1
PJD&MGG.....

ce
KSH

SDC:.....Walter - Caucus #3216, Delete provision regarding hearing procedure for objections to local boating regulations

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 497, line 13: delete lines 13 to 25.

3 2. Page 498, line 1: delete lines 1 to 25.

4 3. Page 499, line 1: delete lines 1 to 8.

5 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0850/1
PJD&MGG:ksh:ksh

SDC:.....Walter – Caucus #3216, Delete provision regarding hearing
procedure for objections to local boating regulations

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 497, line 13: delete lines 13 to 25.

3 **2.** Page 498, line 1: delete lines 1 to 25.

4 **3.** Page 499, line 1: delete lines 1 to 8.

5 (END)