

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 06/22/99

Received By: shoveme

Wanted: As time permits

Identical to LRB:

For: Senate Democratic Caucus 6-2257

By/Representing: Walter

This file may be shown to any legislator: NO

Drafter: shoveme

May Contact:

Alt. Drafters:

Subject: Munis - miscellaneous
Counties

Extra Copies:

Pre Topic:

SDC:.....Walter - Caucus # 1721,

Topic:

Create custom zoning variance, property in Kenosha County

Instructions:

See Attached. Convert 1999 LRB b0033/1

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>
/?	shoveme 06/23/99	chanaman 06/23/99		_____			
/1			martykr 06/25/99	_____	lrb_docadmin 06/25/99		

FE Sent For:

<END>

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Wanted: **As time permits**

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SDC:.....Walter - Caucus # 1721,

Topic:

Create custom zoning variance, property in Kenosha County

Instructions:

See Attached. Convert 1999 LRB b0033/1

Drafting History:

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1?	shoveme	cm 1 1	km 6/25	Sh 6/25 km 6/25			
FE Sent For:		6/23					

<END>

SDC

b1007

caucus number 1720

duplicate flag:
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft # b0363/1	LRB P-draft:

description: LRB b0363/1. Milwaukee Enterprise Center. \$25,000 GPR each fiscal year for a grant to the Milwaukee Enterprise Center for renovations.

other notes

drafting instructions: LRB b0363/1. See above.

more instructions:

caucus number 1721

duplicate flag:
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft # b0033/1	LRB P-draft:

description: LRB b0033/1. Creates custom zoning variance.

other notes

drafting instructions: LRB b0033/1. See above.

more instructions:

caucus number 1725

duplicate flag:
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Census 2000. Provide \$850,000 GPR to fund community grants and public service announcements designed to increase awareness on the importance of an accurate census and to encourage people to complete the census questionnaire.

other notes Modification to above: Provide to UW-Extension

drafting instructions: See above.

more instructions:

caucus number 1826

duplicate flag:
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Add \$75,000 each year to the Humanities Council

other notes

drafting instructions: See above and attached

more instructions:

CN-1821

+

X ing Variance



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0033/1
MESjlg:km

SENATE AMENDMENT ,
TO 1999 SENATE BILL 45

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

2 **1.** Page 1438, line 8: after that line insert:

3 “(7c) ZONING VARIANCE. If all of the following conditions apply, no city, village,
4 town or county zoning ordinance, which requires that an improved road be created
5 to subdivide a parcel of property, applies to any parcel of property, the owner of which
6 proposes to subdivide the property:

7 (a) The property is located in a county that was created in 1850 and borders one
8 of the Great Lakes.

9 (b) The property is not more than 5 miles from the border of another state.

10 (c) The property borders a lake.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1007/1
MES.....

cmr **PMNR**

SDC:.....Walter - Caucus # 1721, Create custom zoning variance, property
in Kenosha County

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

NOTE

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

2 1. Page 1567, line 21: after that line insert:

3 (END)



**SENATE AMENDMENT ,
TO 1999 SENATE BILL 45**

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10

nonsub

At the locations indicated, amend the bill as follows:

1. Page 1438, line 8: after that line insert:

4g
“(M) ZONING VARIANCE. If all of the following conditions apply, no city, village, town or county zoning ordinance, which requires that an improved road be created to subdivide a parcel of property, applies to any parcel of property, the owner of which proposes to subdivide the property:

- (a) The property is located in a county that was created in 1850 and borders one of the Great Lakes.
- (b) The property is not more than 5 miles from the border of another state.
- (c) The property borders a lake.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

61007/1
LRB 0698/Adn
MES ~~ambler~~

emr

June 21, 1999

This note is meant to alert you that it is possible that a Wisconsin court would find that this legislation is a "private or local bill" that, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this legislation cannot validly be enacted as part of the state budget bill because the budget bill 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. IV, 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". This proposal is applicable only to ~~the Village of Ashwaubenon~~ *seems to be*

Because it is difficult to predict the potential for and outcome of any court action on this proposal, should it be enacted as part of the budget, you may wish to consider introducing this proposal as a separate bill.

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: Marc.Shovers@legis.state.wi.us

*a particular parcel
of property in Kenosha County*

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1007/1dn
MES:cmh:km

June 25, 1999

This note is meant to alert you that it is possible that a Wisconsin court would find that this legislation is a "private or local bill" that, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this legislation cannot validly be enacted as part of the state budget bill because the budget bill 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. IV, 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". This proposal seems to be applicable only to a particular parcel of property in Kenosha County.

Because it is difficult to predict the potential for and outcome of any court action on this proposal, should it be enacted as part of the budget, you may wish to consider introducing this proposal as a separate bill.

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: Marc.Shovers@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1007/1
MES:cmh:km

SDC:.....Walter – Caucus # 1721, Create custom zoning variance, property in
Kenosha County

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 1567, line 21: after that line insert:

3 “(4g) ZONING VARIANCE. If all of the following conditions apply, no city, village,
4 town or county zoning ordinance, which requires that an improved road be created
5 to subdivide a parcel of property, applies to any parcel of property, the owner of which
6 proposes to subdivide the property:

7 (a) The property is located in a county that was created in 1850 and borders one
8 of the Great Lakes.

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